

NO. 13-19-00500-CV

FILED IN
IN THE COURT OF APPEALS FOR THE THIRTEENTH JUDICIAL DISTRICT OF TEXAS
CORPUS CHRISTI/EDINBURG, TEXAS

12/17/2020 11:32:44 AM

KATHY S. MILLS
TEXAS AUTO SALVAGE, INC., GARY HACK AND DANIEL HACK, APPELLANTS ^{Clerk}

VS.

DD RAMIREZ, INC., DANNY RAMIREZ RECYCLING, INC., SAN ANTONIO AUTO &
TRUCK SALVAGE, DANNY'S RECYCLING & PRECIOUS METALS, LLC, DANNY'S
RECYCLING, INC., AND DANIEL DELAGARZA RAMIREZ, APPELLEES

ON APPEAL FROM THE 37TH JUDICIAL DISTRICT COURT OF
BEXAR COUNTY, TEXAS
CAUSE No. 2010-CI-02500
THE HONORABLE MICHAEL MERY, PRESIDING

REPLY BRIEF OF APPELLANTS

MS. RENÉE YANTA
State Bar No. 00787483
The Law Firm of Renée Yanta
8000 IH-10 West, Suite 600
San Antonio, TX 78230
Tel: 210.774.4088

MR. JON T. POWELL
State Bar No. 0079726
MR. MICKEY JOHNSON
State Bar No. 24094002
THE POWELL LAW FIRM
1148 E. Commerce Street
San Antonio, TX 78205
Tel: 210.225.9300

Counsel for Appellants, Texas Auto Salvage, Inc., Gary Hack and Daniel Hack

ORAL ARGUMENT REQUESTED

TABLE OF CONTENTS

TABLE OF CONTENTS	ii
INDEX OF AUTHORITIES	iv
SUMMARY OF THE ARGUMENT	1
ARGUMENT	5
I. A Reasonable Person Could Easily Conclude TASI Has Suffered A Special Injury; TASI Has Standing	5
A. The Trial Court misapplied the elements of “special injury”	5
B. There is more than a scintilla of evidence Ramirez’s illegal conduct harms or creates a danger of harming TASI’s business interest	6
C. There is more than a scintilla of evidence Ramirez’s habitual polluting conduct harms or creates a danger of harming TASI’s property	14
II. Texas Has Long Recognized Statutory Public Nuisance Claims; And TASI Has Standing To Seek Injunctive Relief To Enforce Chapter 16.	17
A. Secondary authorities recognize this form of nuisance	17
B. TASI’s cited authorities confirm this form of nuisance	18
C. Ramirez’s cited authorities do not abrogate this form of nuisance	21
III. Jury Question No. 3 Provided The Requisite Findings To Recover For Statutory Public Nuisance	27

IV.	TASI’s Sought Primarily Injunctive—Not Merely Declaratory—Relief; Even If TASI Sought Primarily Declarations, The Trial Court Had Jurisdiction To Declare Ramirez A Public Nuisance	29
V.	The Jury’s Decision Regarding Private Nuisance Is Against The Great Weight And Preponderance Of The Evidence	30
	CONCLUSION AND PRAYER FOR RELIEF	31
	CERTIFICATE OF COMPLIANCE	33
	CERTIFICATE OF SERVICE.....	34
	APPENDIX	35

INDEX OF AUTHORITIES

CASES

<i>Alpha Enters., Inc. v. Houston</i> , 411 S.W.2d 417 (Tex. Civ. App.—Houston [1 st Dist.] 1967, writ ref’d n.r.e.).....	17
<i>American Constr. Co. v. Seelig</i> , 133 S.W. 429 (Tex. 1911).....	2, 12, 18-20
<i>Baker v. Energy Transfer Co.</i> , No. 10-09-00214-CV, 2011 WL 4978287 (Tex. App.—Waco , Oct. 19, 2011, pet. denied) (mem. op.)	17
<i>Bland Indep. Sch. Dist. v. Blue</i> , 34 S.W.3d 547 (Tex. 2000)	13
<i>Boone v. Clark</i> , 214 S.W. 607 (Tex. Civ. App.—Fort Worth 1919, writ ref’d)	2, 4, 7-9, 12, 21, 26
<i>Bowers v. City of Taylor</i> , 24 S.W.2d 816 (Tex. Comm’n App. 1930)	2, 20
<i>Burditt v. Swenson</i> , 17 Tex. 489 (1856)	5, 6, 14
<i>Chenault v. Phillips</i> , 914 S.W.2d 140 (Tex. 1996).....	29
<i>City of Keller v. Wilson</i> , 168 S.W.3d 802 (Tex. 2005).....	3, 5
<i>City of Mansfield v. Savering</i> , No. 02-19-00174-CV, 2020 WL 4006674 (Tex. App.—Fort Worth July 16, 2020, no pet. h.) (mem. op.)	21-23
<i>City of Temple v. Mitchell</i> , 180 S.W.2d 959 (Tex. App.—Austin 1944, no writ)	5, 6
<i>Comminge v. Stevenson</i> , 13 S.W. 556 (Tex. 1890)	14
<i>Crosstex N. Tex. Pipeline, L.P. v. Gardiner</i> , 505 S.W.3d 580 (Tex. 2016)	5
<i>Dipp v. Rio Grande Produce, Inc.</i> , 330 S.W.2d 700 (Tex. Civ. App.—El Paso 1959, writ ref’d n.r.e.)	16
<i>Estate of Townes v. Townes</i> , 867 S.W.2d 414	

(Tex. App.—Houston [14 th Dist.] 1993, writ denied)	28
<i>Ford Motor Co. v. Ridgway</i> , 135 S.W.3d 598 (Tex. 2004)	3, 5
<i>GTE Mobilnet of S. Tex. Ltd. P’ship v. Pascouet</i> , 61 S.W.3d 599 (Tex. App.—Houston [14 th Dist.] 2001, pet. denied)	25
<i>Helena Chem. Co. v. Wilkins</i> , 47 S.W.3d 486 (Tex. 2001)	9
<i>Jamail v. Stoneledge Condo. Owners Ass’n</i> , 970 S.W.2d 673 (Tex. App.—Austin 1998, no pet.)	17, 26
<i>KMG Kanal–Muller–Gruppe Deutschland GmbH & Co. v. Davis</i> , 175 S.W.3d 379 (Tex. App.—Houston [1 st Dist.] 2005, no pet.)	9
<i>Maranatha Temple, Inc. v. Enter. Prods. Co.</i> , 893 S.W.2d 92 (Tex. App.—Houston [1 st Dist.] 1994, writ denied)	15
<i>McMahan v. City of Abilene</i> , 261 S.W. 455 (Tex. Civ. App.—El Paso 1924) <i>writ diss’m’d</i> , 292 S.W. 525 (Tex. 1927)	15
<i>Ort v. Bowden</i> , 148 S.W. 1145 (Tex. Civ. App.—Galveston 1912, n.w.h.)	2, 18, 20, 21, 26
<i>Osterberg v. Peca</i> , 12 S.W.3d 31 (Tex. 2000)	27
<i>Rogers v. Alexander</i> , 244 S.W.3d 370 (Tex. App.—Dallas 2007, pet. denied)	9
<i>Schmitz v. Denton County Cowboy Church</i> , 550 S.W.3d 342 (Tex. App.—Fort Worth 2018, pet. denied)	23, 24, 26
<i>Southwestern Bell Tel. Co. v. Garza</i> , 164 S.W.3d 607 (Tex. 2004)	27
<i>Texas Hwy. Comm’n v. Texas Ass’n of Steel Importers</i> , 372 S.W.2d 525 (Tex. 1963)	14
<i>Touchy v. Houston Legal Found.</i> , 432 S.W.2d 690 (Tex. 1968)	4, 13

<i>United Food & Commercial Workers Int’l Union v. Wal-Mart Stores, Inc.</i> , No. 02-15-00374-CV, 2016 WL 6277370 (Tex. App.—Fort Worth Oct. 27, 2016, pet. denied) (mem. op.)	4, 6-9
---	--------

STATUTES, RULES, AND ORDINANCES

RESTATEMENT (SECOND) OF TORTS § 821B	17
RESTATEMENT (SECOND) OF TORTS § 821B(1)	17
RESTATEMENT (SECOND) OF TORTS § 821B(2)(b).....	17
RESTATEMENT (SECOND) OF TORTS § 821F, comment c, § 2	6
O’CONNOR’S TEXAS CAUSES OF ACTION Ch. 22-B § 2 (2020 ed.)	17, 18
TEX. R. APP. P. 9.4	33
TEX. R. CIV. P. 278	27
SAN ANTONIO, TEX., CODE § 16-203-210.....	2
SAN ANTONIO, TEX., CODE § 16-210.07(b).....	27

TO THE HONORABLE FOURTH COURT OF APPEALS:

Appellants Texas Auto Salvage, Inc., Gary Hack and Daniel Hack (“TASI”) file this Reply Brief, responding to Appellants’ (“Ramirez’s”) Brief of Appellee and respectfully show the Court:

SUMMARY OF THE ARGUMENT

A Bexar County jury found Ramirez’s metal recycling/salvage yard operations—located right across the street from TASI—are a public nuisance.¹ CR3:2383-2401;APP:A. After ten plus years of trying to stop Ramirez from habitually creating carcinogenic and toxic pollution, TASI finally saw the light at the end of the tunnel. *Id.* The jury’s verdict would enable the Trial Court to enjoin Ramirez from continuing his dangerous conduct. TASI would finally be safe and able to protect its own business reputation and the reputation of the metal recycling industry. CR1:661-695. TASI would finally be on fair, equal footing with Ramirez, with whom TASI competes for business. *Id.*

¹ The dangers created by illegally operated metal recycling operations is widely reported. *See, e.g., How “Black Smoke” From Auto Yard Fire Could Impact Your Health*, <https://www.kgw.com/article/news/local/how-black-smoke-from-auto-yard-fire-could-impact-your-health/283-527906636> (March 2018); *The Hidden Dangers of You-Pull-It Junkyards*, <https://myautostore.com/hidden-dangers-you-pull-it-junkyards/> (Feb. 2017); *Unanticipated Potential Cancer risk Near Metal Recycling Facilities*, <https://www.sciencedirect.com/science/article/abs/pii/S0195925513000358>; SCIENCE DIRECT Vol. 41 (July 2013).

But the Trial Court rejected the jury's verdict and dismissed TASI's remaining claim. CR3:2444-46;APP:B. Ostensibly, after ten plus years of litigation, the Trial Court decided there is no evidence TASI had standing.

This finding is wrong. TASI had standing to seek an injunction requiring Ramirez to stop polluting and comply with the applicable City ordinance, San Antonio Municipal Code §§16 203-210 ("Chapter 16"), which adopted the standard of care of the metal recycling industry. RR9:44;APP:D. The jury found—and Ramirez does not appeal—the City was derelict in its duty to enforce Chapter 16, allowing Ramirez to spew carcinogenic and toxic pollution into the air, water and ground. CR3:2383-2401;APP:A. When a municipality negligently or intentionally abandons its duty to enforce its laws (especially those preventing threats to public health and safety), a private citizen has standing to seek an injunction requiring the violator to comply. *American Constr. Co. v. Seelig*, 133 S.W. 429, 431 (Tex. 1911); *Bowers v. City of Taylor*, 24 S.W.2d 816, 817 (Tex. Comm'n App. 1930); *Boone v. Clark*, 214 S.W. 607, 611 (Tex. Civ. App.—Fort Worth 1919, writ ref'd); *Ort v. Bowden*, 148 S.W. 1145, 1148 (Tex. Civ. App.—Galveston 1912, n.w.h.).

Even absent the City's dereliction of duty, there is far more than a scintilla of evidence TASI has standing to obtain injunctive relief to stop Ramirez's public nuisance. Considering the evidence supporting TASI and making all inference in TASI's favor, a reasonable person could conclude TASI has suffered a special

injury. *City of Keller v. Wilson*, 168 S.W.3d 802, 821 (Tex. 2005); *see also Ford Motor Co. v. Ridgway*, 135 S.W.3d 598, 601 (Tex. 2004) (“More than a scintilla of evidence exists when the evidence rises to a level that would enable reasonable and fair-minded people to differ in their conclusions.”).

TASI abuts the property Ramirez repeatedly pollutes with oozing liquid smelling of gasoline and oil. RR3:120; RR4:37; RR6:51, 60; R7:20. Because Ramirez habitually fails to properly collect, retain and store lead-based, highly carcinogenic liquids like battery acid, anti-freeze, gasoline, and oil, the toxins in these liquids seep into the soil right across the street from TASI and waft into the air of the neighborhood TASI shares with Ramirez, emanating noxious odors. CX12:1629, 1634; RR4:37, 60-63, 141; RR8:145. Even Ramirez’s own environmental expert testified Ramirez’s misconduct creates a fire risk that would generate highly toxic smoke. RR8:167. And TASI is right across the street from this calamitous danger. RR10:56. The evidence is more than sufficient for a reasonable person to conclude Ramirez’s operations pose a health threat to TASI. *Ridgway*, 135 S.W.3d at 601.

The evidence also showed the considerable expenses to comply with Chapter 16 and the industry standards—BMPs. RR7:32; RR8:152, 197;APP:D. By his shortcuts and illegal conduct, Ramirez avoids these costs. RR7:14, 29; RR8:154. In stark contrast, TASI has spent over \$140,000 to comply with Chapter 16 and the

BMPs. RR3:115. Ramirez therefore enjoys a competitive advantage over TASI, enabling Ramirez to pay more to suppliers of scrap metal. RR3:152.

Furthermore, on at least one occasion, TASI was blamed for Ramirez's illegal and polluting misconduct. RR3:135. And Ramirez's misconduct threatens the reputation of the metal recycling industry—an interest TASI holds crucially important and in which TASI is heavily invested. RR3:125-26.

This evidence is far more than a scintilla that TASI has experienced a special injury. *Touchy v. Houston Legal Found.*, 432 S.W.2d 690, 694 (Tex. 1968) (member of industry can have standing to protect reputation of that industry); *United Food & Commercial Workers Int'l Union v. Wal-Mart Stores, Inc.*, No. 02-15-00374-CV, 2016 WL 6277370, at *7 (Tex. App.—Fort Worth Oct. 27, 2016, pet. denied) (mem. op.) (when nuisance could limit number of shoppers at store, Wal-Mart suffered special injury); *Boone*, 214 S.W. at 611 (when nuisance could adversely impact plaintiff's business interests, plaintiff has standing). TASI has standing to recover injunctive relief requiring Ramirez to comply with Chapter 16's provisions adopting the metal recycling industry's BMPs.

Ramirez's other arguments also fail: The jury question to which he agreed enabled the jury to make all the requisite findings to support TASI's injunctive relief to remedy Ramirez's public nuisance, TASI had standing to obtain a declaration, the Trial Court should have admitted the entirety of Dr. Fairchild's and Mr. Arredondo's

testimony, and the jury erred by failing to find Ramirez’s conduct also constituted a private nuisance.

ARGUMENT

I. A Reasonable Person Could Easily Conclude TASI Has Suffered A Special Injury; TASI Has Standing.

The Trial Court directed a verdict on both TASI’s common law public nuisance- and statutory public nuisance-based claims, incorrectly deciding TASI did not have standing. Considering the evidence supporting TASI and making all inference in TASI’s favor, there is significantly more than a scintilla of evidence TASI has suffered a special injury. *Wilson*, 168 S.W.3d at 821; *Ridgway*, 35 S.W.3d at 601.

A. The Trial Court misapplied the elements of “special injury.”

TASI argued in its opening brief that the Trial Court misapplied the legal standard when considering whether TASI suffered a “substantial” injury. Brief of Appellant at 4. An injury or threatened injury is “substantial” under the special-injury standard when it is “more than a slight inconvenience or a petty annoyance.” *City of Temple v. Mitchell*, 180 S.W.2d 959, 962 (Tex. App.—Austin 1944, no writ) (law does not address trifles). Texas law has long held a plaintiff exceeds this standard with proof the nuisance is “of a character to endanger health.” *Burditt v. Swenson*, 17 Tex. 489, 502 (1856); *Crosstex N. Tex. Pipeline, L.P. v. Gardiner*, 505 S.W.3d 580, 593 (Tex. 2016) (substantial interference means “unreasonable

discomfort or annoyance to persons of ordinary sensibilities”); RESTATEMENT SECOND, TORTS § 821F, comment c; § 2.

The record contains far more than a scintilla of evidence that Ramirez’s polluting conduct exceeds being a trifle, slight inconvenience or petty annoyance. *Mitchell*, 180 S.W.2d at 962; *see Burditt*, 17 Tex. at 503 (well-founded concern nuisance may create danger may meet substantial injury standard). Ramirez’s habitual violations of Chapter 16 and the BMPs, creating toxic pollution and a continuing threat of such danger adversely impacted TASI’s business interest and endangered TASI’s property.

B. There is more than a scintilla of evidence Ramirez’s illegal conduct harms or creates a danger of harming TASI’s business interest.

Ramirez concedes under *United Food & Commercial Workers Int’l Union v. Wal-Mart Stores, Inc.*, No. 02-15-00374-CV, 2016 WL 6277370 (Tex. App.—Fort Worth Oct. 27, 2016, pet. denied) (mem. op.) that harm and threatened harm to business interest is a special injury. Brief of Appellee at 43-45. Ramirez attempts to avoid the clear evidence of such harm to TASI, arguing there is no direct connection between the cause of the nuisance—Ramirez’s repeated and excessive violations of Chapter 16 and BMPs—and TASI’s business interest. Brief of Appellee at 44. He contends the “bulk” of TASI’s special injury allegations relate to actions taken or not taken by the City, rather than Ramirez’s conduct. *Id.* Ramirez is incorrect.

TASI presented far more than a scintilla of evidence that Ramirez chose to operate a metal recycling business without any right to do so and in direct violation of Chapter 16. *See* RR6:21; CX13:1664; CX10:1601-03; RR4:30;APP:E. Ramirez readily admits he and TASI compete for the same customers. Brief of Appellee at 15-16; RR9:129. The record confirms and Ramirez does not dispute that by operating his salvage yard—albeit in violation of Chapter 16 and creating a public nuisance—he directed metal recycling business away from others in the industry, including TASI. Brief of Appellee at 15-16; RR9:129; *see also* RR3:152-53 (TASI and Ramirez competed for the same customers).

So simply by operating (when he should not have), Ramirez redirected customers from TASI, just like the defendants in *Wal-Mart* whose nuisance redirected customers from Wal-Mart. *Compare* R9:129, 134-36 with *Wal-Mart*, No. 02-15-00374-CV, 2016 WL 6277370, at *3, 6-7. Similarly, Ramirez drained customers from TASI, just like the defendants in *Boone* whose operation would have drained oil resources away from the *Boone* plaintiffs. *Compare* RR9:129, 134-36 with *Boone v. Clark*, 214 S.W. 607, 609-10 (Tex. Civ. App.—Fort Worth 1919, writ ref'd).

Both *Boone* and *Wal-Mart* illustrate that when seeking injunctive relief to stop a nuisance, the plaintiff need not present detailed financial evidence of monetary damages. *Wal-Mart*, No. 02-15-00374-CV, 2016 WL 6277370, at *3, 6-7; *Boone*,

214 S.W. at 609-10. Evidence that some business was or may be redirected is sufficient. *Wal-Mart*, No. 02-15-00374-CV, 2016 WL 6277370, at *3, 6 (evidence public was partially blocked from traveling down street toward Wal-Mart was sufficient proof of special injury); *Boone*, 214 S.W. at 609-10 (private citizens had standing to enjoin nuisance County improperly allowed because it threatened to drain oil reserves from private-citizen, threatening their business interests).

However, assuming TASI was required to provide specific financial data, TASI offered Dr. Fairchild, with a doctorate in Finance, to present evidence of the maximum net profits Ramirez drained from TASI by violating Chapter 16 (and thereby failing to comply with BMPs).² RR8:13-22. Dr. Fairchild performed a standard and conservative net profit analysis. RR8:14-28. He used objective data—obtained from Ramirez’s 2010-14 tax returns—of Ramirez’s sales and expenses. RR8:16-17. From that data, Dr. Fairchild determined the total net profits Ramirez earned. RR8:14-28. As such, Dr. Fairchild’s testimony would have provided

² In TASI’s opening brief’s discussion on special injury, TASI argued the Trial Court erred in excluding Dr. Fairchild’s testimony. *See* Brief of Appellant at 48. TASI succinctly addressed the error and explained the relevance and importance of this expert testimony. A fair reading of the record confirms the Trial Court refused Dr. Fairchild’s testimony believing his methodology was flawed because Dr. Fairchild had not determined the specific amount of business Ramirez drained from TASI. RR8:22. As argued in the opening brief, the Trial Court’s ruling is incorrect because Dr. Fairchild relied on valid data, used a standard methodology. Moreover, the testimony is directly relevant to establish the effect of Ramirez’s nuisance.

specific financial data of the maximum detrimental effect of Ramirez's public nuisance on TASI's business interest.³ *Id.*

Dr. Fairchild agreed he did not determine the specific amount Ramirez drained from TASI by operating illegally. *Id.* He did opine, however, Ramirez's misconduct drained business from TASI. *Id.* And he explained the basis of his opinion:

- TASI and Ramirez operate right across the street from each other and
- They are competing operations.

Id.

TASI was not required to present such specific damages evidence to obtain injunctive relief. *See with Wal-Mart*, No. 02-15-00374-CV, 2016 WL 6277370, at *3, 6 (ordering injunctive relief without evidence of specific damage); *Boone*, 214 S.W. at 609-10 (enjoining nuisance when such activity could drain oil reserves). However, if TASI was, the Trial Court erred by excluding Dr. Fairchild's relevant and reliable expert financial testimony that Ramirez's illegally operated metal recycling yard drained business away from TASI. *Rogers v. Alexander*, 244 S.W.3d 370, 387 (Tex. App.—Dallas 2007, pet. denied) (when expert explains his methodology, opinions drawn from underlying data are reliable, citing *Helena Chem. Co. v. Wilkins*, 47 S.W.3d 486, 501 (Tex. 2001)); *see also KMG Kanal—*

³ Ramirez argued TASI did not provide an offer of proof of Dr. Fairchild's testimony. Brief of Appellee at 28. The record of the *Daubert* hearing confirms otherwise. RR8:13-22.

Muller–Gruppe Deutschland GmbH & Co. v. Davis, 175 S.W.3d 379, 396 (Tex. App.—Houston [1st Dist.] 2005, no pet.) (holding expert testimony of PhD economist reliable because he used accepted business valuation methodology).

TASI also presented more than a scintilla of evidence Ramirez’s habitual behavior of failing to comply with Chapter 16 and follow BMPs created a competitive disadvantage and damaged TASI’s business interest. Ramirez chose not to incur the expenses to comply with Chapter 16 and industry BMPs:

- He did not spend the money to create the requisite staging station to contain leaks. RR8:106, 155.
- He does not have a decontamination station at his exit. RR8:155.
- He does not incur the expenses to build containment structures to keep spilled toxins from seeping into the soil. RR8:155-59.
- He does not buy and install canopies to cover waste as required. RR8:175.
- He does not incur the cost of groundskeeping, allowing grass and weeds to become overgrown. RR8:171.
- He will not spend the money to post the required signs. RR9:83.
- He declines to invest in a compliant storm water pollution prevention plan. RR8:175.

See also PX60;APP:E

Ramirez even jerry-rigged his roof to avoid the cost of installing a fire sprinkler. RR10:35-36; CX13:1673, 1675; CX8:1557; CX11:1616. That was especially dangerous, creating a huge gap in Ramirez’s roof right over the car crusher. RR11:50.

In stark contrast, TASI pays the required and proper expenses to comply with Chapter 16 and the BMPs. CX7:1541; RR8:98-99. The evidence at trial showed TASI incurred many costs Ramirez avoided:

- TASI pays for “spotters” to help avoid and clean up spills immediately. RR3:127.
- TASI incurs higher water bills to be able to address spills. RR3:141; RR4:15.
- TASI paid to concrete more of his yard to maintain proper spill prevention and clean-up. RR4:15.
- TASI purchased enough closed containers to store oil, gas, and radiator fluids. RR4:77.
- TASI bought fire suppression kits and spill kits. RR4:15.
- TASI paid for proper signage. RR8:96.

And TASI incurred huge outlays and years of inconvenience to install a sprinkler system⁴ and satisfy all zoning requirements.⁵ RR3:115; RR8:98-99.

The evidence showed Ramirez operated with substandard conditions and refused to comply with Chapter 16 and the BMPs. RR8:106, 155-59, 171, 175. By avoiding his statutory and common-law obligations, Ramirez eschewed huge expenses, enabling him to pay more to scrap metal suppliers. *Id.*; *see also* RR7:14, 17 (Ramirez’s expert admitting compliance would have caused Ramirez to incur

⁴ To comply with Chapter 16 and the BMPs, TASI spent \$100,00 on a sprinkler system RR8:95-96.

⁵ TASI expended \$40,000 to comply with zoning requirements. RR8:95-96.

more costs); RR8:176, 197 (metal recyclers must incur considerable expenses to comply with Chapter 16 and industry standards); RR9:125-26, 129-32 (Ramirez admitting the costs of compliance and possible impact on business). The record also shows Ramirez could pay more for scrap metal because of his lower operating costs. RR3:152, RR9:158; RR12:11. A reasonable person could easily conclude from this evidence:

- Ramirez's misconduct of creating a public nuisance afforded him a competitive advantage in the San Antonio metal recycling industry.
- TASI is not only part of the San Antonio metal recycling industry, but operates right across the street from and competes directly with Ramirez.
- So, Ramirez's public nuisance adversely impacted TASI's business interest.

Texas law confers standing on TASI to enjoin Ramirez's misconduct violating Chapter 16 and the industry BMPs when it harms or threatens to harm TASI's business interest. *Seelig*, 133 S.W. at 431; *Boone*, 214 S.W. at 610-11.

Ramirez's polluting conduct, failing to comply with Chapter 16 and BMPs, damaged or threatens to damage TASI's reputation and the reputation of the metal recycling industry. TASI was initially (and incorrectly) blamed for the pollution coming from Ramirez's operation. RR3:135. This threat of reputational harm continues as long as Ramirez continues to habitually pollute because he operates right across the street from TASI.

Moreover, Ramirez’s polluting conduct has and will continue to damage the reputation of the recycling industry. It is not surprising in light of Ramirez’s hostile and aggressive behavior, the City considered metal recycling a disfavored business. RR3:127. In 2012, two years after TASI filed this suit, the City enacted Chapter 16 when existing laws could not address the dangers created by metal recyclers like Ramirez.⁶ RR8:40, 109.

TASI has a strong interest in tempering the City’s critical view of its industry. RR3:125-26; RR8:147. TASI actively worked with the City during the adoption of Chapter 16. RR8:39-40. Over the years, TASI has put considerable effort into protecting the reputation of an industry that plays a vital role in repurposing metal waste. RR3:125-26. TASI has a special interest in enjoining Ramirez from continuing his polluting conduct, ruining the efforts TASI has made to improve the reputation of the industry.⁷ *Touchy*, 432 S.W.2d at 694 (holding private lawyers

⁶ Ramirez has a long history of being hostile to the City and refused to work with the City in the enactment process. RR9:91.

⁷ Ramirez does not dispute *Touchy*’s holding a plaintiff has standing to injunctive relief to protect the reputation of her profession. *See Touchy*, 432 S.W.2d at 694. Ramirez attempted to distinguish *Touchy*, arguing members of the metal recycling industry as a matter of law do not possess as special an interest in their chosen work as attorneys do in theirs. Brief of Appellee at 51. Ramirez offered no legal support for this position.

Ramirez also attempted to avoid *Touchy* (and other cases), arguing the cases were decided pretrial and based on the pleadings. Brief of Appellee at 50. Ramirez misstates the law: Pleas to the jurisdiction are evidentiary. *Bland Indep. Sch. Dist. v. Blue*, 34 S.W.3d 547, 554 (Tex. 2000) (when deciding jurisdiction, a court “should hear evidence as necessary to determine the issue before proceeding with the case.”).

had standing to enjoin unauthorized practice of law as they had interest different from general public); *Texas Hwy. Comm'n v. Texas Ass'n of Steel Importers*, 372 S.W.2d 525, 530–31 (Tex. 1963) (business owners had standing to enjoin Texas Highway Commission's requirement all materials on construction contracts be manufactured in United States).

Considering the evidence supporting TASI and making all inferences in TASI's favor, TASI offered far more than a scintilla of evidence the public nuisance Ramirez created has harmed and threatens to continue harming TASI's business interests. As such, there is more than a scintilla of evidence of special injury. TASI had standing.

C. There is more than a scintilla of evidence Ramirez's habitual polluting conduct harms or creates a danger of harming TASI's property.

Ramirez claims there is no evidence the pollution he allowed to escape his property created a special injury to TASI. Brief of Appellee at 41-42. He claims TASI is not entitled to even injunctive relief because TASI allegedly offered no evidence of physical damage or harm to TASI or a diminution in the market or rental value of TASI's property. Brief of Appellee at 43, 48.

Texas law has long held that none of these damage are required to obtain injunctive relief: "Even that which does but cause a well-founded apprehension of danger may be a nuisance." *Burditt*, 17 Tex. at 502; *see, e.g., Comminge v.*

Stevenson, 13 S.W. 556, 557 (Tex. 1890) (nearby powder magazine creating danger is nuisance); *McMahan v. City of Abilene*, 261 S.W. 455, 456 (Tex. Civ. App.—El Paso 1924) *writ diss’d*, 292 S.W. 525 (Tex. 1927) (earthen dam that could break constituted nuisance); *see also*, *Maranatha Temple, Inc. v. Enter. Prods. Co.*, 893 S.W.2d 92, 100 (Tex. App.—Houston [1st Dist.] 1994, writ denied) (while apprehension of danger cannot support nuisance claim against lawfully operating business, such relief available when nuisance per se).

Ramirez next argues TASI offered only speculation Ramirez’s pollution will harm TASI. Brief of Appellee at 48-49. The record confirms otherwise.

Ramirez’s operation habitually pollutes and poses a significant risk of polluting neighboring properties with carcinogenic chemicals, silver and lead—all extremely dangerous toxins. *See, e.g.*, RR4:60-62, 141; RR8:145, 161, 170; CX5:1515. Even Ramirez’s own environmental expert testified Ramirez’s behavior creates a risk of contamination. RR7:17, 33. He testified Ramirez’s operations poses a substantial risk because Ramirez routinely dumps hazardous fluid and fails to remediate these spills. The toxins mix with the soil and water and then transfer into the air and spread onto neighboring property. RR8:154-77. TASI is one of those neighboring properties. RR10:56.

The record also contains evidence Ramirez polluted the street abutting TASI. RR7:18; RR8:145; CX5:1504; PX1; PX4;APP:E. Ramirez’s expert testified

Ramirez's operation spreads contamination onto the street when trucks exit Ramirez's polluted area. RR17:18. Several witnesses testified Ramirez pumps toxic water into the street. RR6:91, 96, 105, 110-11.

A landowner abutting a nuisance generally has standing to stop and prevent further actions creating that nuisance. *Dipp v. Rio Grande Produce, Inc.*, 330 S.W.2d 700, 701-02 (Tex. Civ. App.—El Paso 1959, writ ref'd n.r.e.) (abutting landowner has rights different from public at large). The evidence at trial overwhelmingly established Ramirez has polluted property next to and abutting TASI. This evidence is far more than a scintilla that Ramirez's pollution created a special injury to TASI.

The Trial Court erred by directing a verdict on TASI's common law public nuisance claim. The Trial Court also erred by granting Ramirez's Motion for Judgment Notwithstanding the Verdict and entering a take-nothing judgment against TASI. TASI respectfully requests this Court reverse the Order Granting the Judgment Notwithstanding the Verdict ("JNOV Order") and the Final Judgment and remand to the Trial Court for entry of an injunction. In the alternative, TASI requests this Court reverse the Final Judgment and remand for a new trial.

II. Texas Has Long Recognized Statutory Public Nuisance Claims; And TASI Has Standing To Seek Injunctive Relief To Enforce Chapter 16.

For the first time, Ramirez now argues statutory public nuisance is not recognized in Texas law. Brief of Appellee at 32. Ramirez’s newest argument is without merit.

A. Secondary authorities recognize this form of nuisance.

At least two secondary authorities confirm recovery for a form of nuisance sometimes labeled as statutory public nuisance: Restatement (Second) of Torts § 821B(2)(b) (1979) (“Section 821B”) and O’CONNOR’S TEXAS CAUSES OF ACTION Ch. 22-B § 2 (2020 ed.) (“O’Connor’s”). In Section 821B, the Restatement explains some statutes and ordinances legislatively declare violations of an edict create “an unreasonable interference with a right common to the general public.” RESTATEMENT (SECOND) OF TORTS § 821B(1) (1979).

Texas law provides such unreasonable interference is a public nuisance. *See Jamail v. Stoneledge Condo. Owners Ass’n*, 970 S.W.2d 673, 676 (Tex. App.—Austin 1998, no pet.) (defining definition of nuisance). As such, while Texas may not use the moniker, “statutory public nuisance,” the law recognizes the substance of such a form of nuisance. *Baker v. Energy Transfer Co.*, No. 10-09-00214-CV, 2011 WL 4978287, at *6 (Tex. App.—Waco, Oct. 19, 2011, pet. denied) (mem. op.) (recognizing recovery for nuisance per se by private citizen when defendant’s activity violates statute or ordinance declaring such activity a nuisance); *Alpha*

Enters., Inc. v. Houston, 411 S.W.2d 417, 420-31 (Tex. Civ. App.—Houston [1st Dist.] 1967, writ ref’d n.r.e.) (declaring presence of any fireworks within city violates ordinance and is public nuisance); *Seelig*, 133 S.W. at 431 (affirming injunction against nuisance City of Austin allowed in violation of ordinance).

O’Connor’s also recognizes that many city ordinances list activities considered public nuisances. O’CONNOR’S TEXAS CAUSES OF ACTION Ch. 22-B § 2 (2020 ed.). While some of these ordinances may provide that only the city can file suit for violation of the ordinance, O’Connor’s cites *Ort v. Bowden*, 148 S.W. 1145, 1148 (Tex. App.—Galveston 1912, no writ) confirming that private citizens have the right to sue for violations when the governmental entity charged with enforcing the statute is derelict in its duty. O’CONNOR’S TEXAS CAUSES OF ACTION at ch. 22-B § 2.

B. TASI’s cited authorities confirm this form of nuisance.

Misapprehending the authorities TASI cites, Ramirez claims these authorities do not support that Texas law permits recovery for activity an ordinance declares a public nuisance. Ramirez disregards crucial facts of *Seelig*: The City of Austin (“Austin”) had enacted an ordinance prohibiting builders from extending a construction site beyond one third the width of a street or alley. 133 S.W. at 431. Disregarding the ordinance, the Austin Fire Commissioner issued and the Austin City Council approved a permit allowing a construction company to place

construction materials farther into the street. *Id.* As such, Austin allowed the construction company to violate an ordinance. *Id.*

Adjoining landowners sought an injunction requiring the construction company to comply with the existing ordinance. *Id.* The construction company defended, arguing Austin's actions allowing the violation was equivalent to the adoption of a new ordinance. *Id.* The trial court rejected the construction company's defense and issued the requested injunction. *Id.*

The Texas Supreme Court affirmed the trial court, holding the construction company's conduct was unlawful—it violated the existing ordinance. *Id.* The supreme court further held that by violating the ordinance, the company created a nuisance. *Id.*

Seelig and the present case present parallel circumstances:

- The City—like Austin—enacted an ordinance requiring compliance with a specific standard. *Compare* PX30:697-711;APP:D *with Seelig*, 133 S.W. at 431.
- The City—like Austin—allowed a citizen to violate the existing ordinance and avoid complying with adopted standard. *Compare* PX30:697-711;APP:D *with Seelig*, 133 S.W. at 431.
- Like TASI who sued Ramirez to require him to comply with the standard adopted into Chapter 16—the *Seelig* plaintiffs sued the construction company to require it to comply with the standard established by the Austin ordinance. *Compare* PX30:697-711;APP:D *with Seelig*, 133 S.W. at 431.
- TASI—like the *Seelig* plaintiffs—argued the violation of the ordinance constituted a nuisance the trial court could enjoin. *Compare* PX30:705;APP:D *with Seelig*, 133 S.W. at 431.

The Austin trial court issued the injunction the private citizens requested, compelling the construction company to comply with the Austin ordinance. *Id.* The supreme court affirmed that ruling. *Id.* *Seelig* therefore confirms Texas law has long recognized a private citizen has standing to recover for a statutory public nuisance. *Id.*

Ramirez incorrectly claims *Bowers* only addressed whether an ordinance giving exclusive control of street to a railroad company was void. Brief of Appellee at 33. While the Commission on Appeals did address that issue, the Commission decided a second issue on rehearing: Does a private citizen plaintiff have standing to enjoin a private company and a municipality to enforce the municipality's duty to control its streets? *Bowers*, 24 S.W.2d at 817-19.

The Commission found private citizens do have the right to such relief. *Id.* at 819. The Commission reasoned such a remedy is appropriate when a governmental entity fails to respond to its duty, affirmatively allowing the wrongdoing. *Id.*

The jury made a similar finding in this present case (which Ramirez does not contest on appeal). CR3:2383-2401;APP:A. *Bowers* confirms that based on the jury's finding the City failed to respond to its duty, TASI had standing to obtain injunctive relief to require Ramirez to comply with Chapter 16.

Contrary to Ramirez's statement, TASI does not cite to *Ort* as creating a "new, distinct cause of action based upon the alleged dereliction of duties by a

municipality.” Brief of Appellee at 34. In *Ort*, the City of Galveston (“Galveston”) declined to enforce its own laws forbidding the closure city streets. *Ort*, 148 S.W. at 1148.

Similarly, in the present case the City declined to enforce Chapter 16. CR3:2385;APP:A. Because the City abandoned its duty, Ramirez was able to habitually pollute. RR3:192; RR4:30, 37, 60-62, 141; RR5:76; RR6:103; RR8:145, 161-62. The City allowed Ramirez’s operations to dangerously risk the neighboring properties by becoming a fire hazard that could produce highly toxic smoke. RR8:164. The jury therefore found the City was derelict in its duty to enforce Chapter 16. CR3:2385;APP:A.

Ort holds that in such circumstances, a private citizen is entitled to enjoin that public nuisance. *Ort*, 148 S.W. at 1148; *see also Boone*, 214 S.W. at 611 (while noting claimants generally must show some special injury to pursue relief for public nuisance, recognizing basis for standing when governmental entity with duty to prohibit public nuisance affirmatively allows it to occur).

TASI’s authorities confirm a private citizen may seek relief for a public nuisance deemed so by statute or ordinance.

C. Ramirez’s cited authorities do not abrogate this form of nuisance.

Ramirez miscites *City of Mansfield v. Savering*, No. 02-19-00174-CV, 2020 WL 4006674, at *12 (Tex. App.—Fort Worth July 16, 2020, no pet. h.) (mem. op.),

claiming the Fort Worth Court of Appeals held there is no private cause of action to enforce a municipal ordinance. Brief of Appellee at 29. The Court made no such holding.

In *Savering*, several property owners sued the City of Mansfield complaining of its plans to develop a particular area. *Id.* The property owners eventually narrowed their lawsuit against the City of Mansfield to solely request declarations under the Uniform Declaration Act (the “UDJA”) regarding a flood-plain ordinance and an injunction enforcing that ordinance. *Id.* The trial court construed the ordinance as requiring any builder to obtain a floodplain permit and perform a hydrology study. *Id.* The trial court then declared the City must obtain both. *Id.*

The City of Mansfield appealed, arguing no private cause of action exists enabling private citizens to enforce an ordinance against the municipality. The Court of Appeals agreed the plaintiffs lacked standing, but for a different reason. *Id.* at 12-13.

The Court acknowledged the plaintiffs could have obtained a declaration the City violated the ordinance if they had offered the proper proof. *Id.* at 13. However, because the Texas Water Code confers the right to seek enforcement of floodplain ordinances by (i) injunction and (ii) criminal and civil penalties only to municipalities, the plaintiffs lacked standing to obtain an injunction against the City of Mansfield through a UDJA claim. *Id.* at 12.

As such, *Saverling* did not hold a private citizen has no right to enforce an ordinance. In fact, the language of the Court of Appeals’ holding infers otherwise. *Id.* *Saverling* does not change the longstanding Texas law conferring standing to private citizens seeking to enjoin activity an ordinance deems a public nuisance.

Ramirez also continues to incorrectly rely on *Schmitz v. Denton County Cowboy Church*, 550 S.W.3d 342, 359-60 (Tex. App.—Fort Worth 2018, pet. denied). In that case, an adjoining landowner sued Denton County Cowboy Church (the “Church”) and the City of Ponder (the “Town”). The Town had issued the Church a special-use zoning permit to build a rodeo arena and changed the zoning to agriculture. *Id.* The landowners sued the Town, seeking a declaratory judgment, injunctive relief, and recovery for civil-rights violations and private-nuisance injuries. *Id.* Applying governmental immunity, the court of appeals affirmed dismissal of these claims. *Id.* at 353-58.

The landowners also sued the Church seeking legal relief for private-nuisance injuries and an injunction prohibiting the Church from constructing the proposed arena and operating the already existing open-air arena. *Id.* at 359-60. In response, the Church filed a plea to the jurisdiction claiming the landowners lacked standing to recover for a private nuisance. *Id.* The Church first urged an argument similar to Ramirez’s: A property owner has no private cause of action to seeking any redress

for violation of a zoning ordinance.⁸ *Id.* at 362. The court of appeals rejected this position holding, “the affected property owner is entitled to seek redress from the violation.” *Id.*

The court of appeals then considered whether under the pleadings, the landowners had presented the requisite proof to trigger standing. Here, the present case and *Schmitz* diverge. *Id.* Unlike TASI, the *Schmitz* landowners did not plead, present evidence, nor obtain any finding that the Town had been derelict in its duties to enforce the zoning ordinance. *Id.* As such, *Schmitz* is inapposite. *Schmitz* provides no authority—or even insight—as to the standing requirement to seek relief for a statutory public nuisance when a governmental entity negligently abandons its duty to remedy that nuisance.

Moreover, *Schmitz* involves the application of a zoning ordinance. The record does not indicate the Town’s zoning ordinance, like Chapter 16, adopted and then mandated compliance with an established standard-of-care. RR9:44. As such, the *Schmitz* zoning ordinance did not implicate common law rights, as does Chapter 16. Certainly, if a private citizen may enforce a zoning ordinance that is not based on an established standard of care, a private citizen may enforce Chapter 16, which adopted the metal recycling industry’s standard of care.

⁸ Ramirez argues TASI has no private cause of action to recover for violations of Chapter 16. Brief of Appellee at 29.

Finally, Ramirez cites to *GTE Mobilnet of S. Tex. Ltd. P'ship v. Pascouet*, 61 S.W.3d 599, 621-22 (Tex. App.—Houston [14th Dist.] 2001, pet. denied) as supporting his position that Texas does not recognize any claim arising from misconduct an ordinance deems a public nuisance. Brief of Appellee at 27. In *GTE*, a trial court had entered judgment for plaintiffs awarding several forms of recovery for nuisance-based claims. *GTE*, 61 S.W.3d at 605. The trial court denied the plaintiffs' request under Chapter 211 of the Texas Local Government Code for an award of the \$2000 criminal fine created by the chapter and an injunction barring the defendant from future violations of the zoning ordinances. *Id.* at 622.

The court of appeals affirmed holding the plaintiffs lacked standing to obtain these forms of relief because they were solely conferred to governmental entities. *Id.* *GTE* simply confirms TASI does not have standing to obtain any relief that, by statute, is reserved solely to the City: TASI cannot recover any criminal or civil fine arising under Chapter 16.

TASI sought an injunction. Ramirez has cited no statute—and TASI knows of no statute—conferring solely to the City the right to require Ramirez to comply with Chapter 16. Ramirez has not cited any statute or case law pre-empting private citizen enforcement of the standard of care of the metal recycling industry—the BMPs.

In fact, Trial Court never reached the issue of the proper terms of an injunction. The Trial Court dismissed the statutory public nuisance claim without considering whether TASI sought any relief reserved solely to the City. CR3:2444-46;APP:B.

Notably, TASI's proposed judgment contained injunctive relief private citizens may obtain. RR15:21-25;APP:F.⁹ TASI asked the Trial Court to require Ramirez to clean up his toxic and dangerous contamination and stop polluting. RR15:13. TASI asked the Trial Court to require Ramirez to comply with BMPs. RR8:152, 177. TASI's proposed injunction would have required Ramirez to institute management of compliance and perform the standard testing protocols. RR7:11, 32-35. As such, TASI sought compliance with the BMPs as enacted into Chapter 16. As even Ramirez's cases confirm, a private citizen is entitled to seek such relief. *Jamail*, 970 S.W.2d at 676; *Schmitz*, 550 S.W.3d at 359-60.

The Trial Court erred by dismissing TASI's statutory public nuisance claim. Texas has long permitted private citizens to file suit to recover for conduct deemed a nuisance by statute or ordinance. Furthermore, as *Boone*, *Ort* and other cases confirm, when the government entity prohibiting certain conduct is derelict in its duties, a private citizen has an additional basis of standing to sue.

⁹ TASI has sought a supplemental Clerk's Record containing its Motion to Enter Judgment, with its proposed Injunction.

If the Trial Court set aside the jury verdict and entered the JNOV Order concluding Texas does not permit recovery for statutory public nuisance, the Trial Court's ruling is legal error. TASI therefore requests this Court set aside the JNOV Order and the Final Judgment and remand this case for entry of an injunction.

III. Jury Question No. 3 Provided The Requisite Findings To Recover For Statutory Public Nuisance.

As expected, Ramirez argues Jury Question No. 3 did not generate a finding regarding liability. Brief of Appellee at 38. First, Ramirez waived any complaint with Question No. 3 because he did not object to it or submit any alternative question or instruction. *Southwestern Bell Tel. Co. v. Garza*, 164 S.W.3d 607, 618 (Tex. 2004); TEX. R. CIV. P. 278. The question and related instructions in the charge must be accepted as the controlling law for the case, against which the sufficiency of the evidence will be measured. *Osterberg v. Peca*, 12 S.W.3d 31, 55 (Tex. 2000).

Second, Jury Question No. 3 generated all requisite implied findings. The Trial Court submitted a broad-form question, "Are any of the following Defendants a 'public nuisance' as that term is defined by section 16-210.07(b) of the City of San Antonio Municipal Code, as set forth above?" CR3:2385;APP:A. The Trial Court instructed the jury regarding what would constitute a public nuisance as "[c]onditions maintained in violation of this division which impact public health, safety, or welfare, or which deprive neighbors of their safe or peaceful use of nearby

properties” *Id.* Under this instruction, to find Ramirez a public nuisance, the jury had to impliedly find:

- Ramirez violated Chapter 16 (and therefore the BMPs engrafted into the ordinance);
- The violation or violations impacted public health, safety, or welfare; or
- The violation or violations deprived neighbors of their safe or peaceful use of nearby properties.

See Estate of Townes v. Townes, 867 S.W.2d 414, 421 (Tex. App.—Houston [14th Dist.] 1993, writ denied) (illustrating answer to broad-form question necessarily contains implied findings).

Ramirez filed no cross appeal and does not contest the sufficiency of the evidence supporting these findings. He therefore is bound by them. As such, the “Yes” answer to Question No. 3 established both (i) the existence of a nuisance and (ii) intentional or negligent conduct created that nuisance. *Id.*

If the Trial Court entered the JNOV Order crediting Ramirez’s incorrect argument that Jury Question No. 3 did not generate the requisite findings, the Trial Court erred. CR3:2444-46;APP:B. TASI respectfully requests this Court reverse the Judgment, reinstate the jury’s verdict as to Jury Question No. 3 and remand the case for entry of an injunction.

IV. TASI's Sought Primarily Injunctive—Not Merely Declaratory—Relief; Even If TASI Sought Primarily Declarations, The Trial Court Had Jurisdiction To Declare Ramirez A Public Nuisance.

Ramirez again argues the Trial Court properly entered the JNOV Order and directed verdict, claiming TASI is not entitled to a declaration that Ramirez is a public nuisance under Chapter 16. Brief of Appellee at 29. TASI also sought this finding—that Ramirez's operations are a public nuisance—under claims seeking recovery for public nuisance and statutory public nuisance. CR1:667-84. As such, the UDJA served simply as a procedural device for deciding claims—one seeking recovery for public nuisance—already under the court's jurisdiction. *Chenault v. Phillips*, 914 S.W.2d 140, 141 (Tex. 1996). The relief TASI sought in this action—an injunction preventing Ramirez from continuing to operate as a public nuisance and violate the industry standard of care—arose from TASI's right to recover under its public nuisance claim, not the UDJA claim. CR1:16-28.

Furthermore, TASI's declaratory request sought a determination of Ramirez's status as a public nuisance under Chapter 16. CR1:325-26. So, TASI's request removed uncertainty as to the application and construction of Chapter 16. As such, if the Trial Court dismissed TASI's public and statutory nuisance claims, misinterpreting them as solely declaratory judgment actions, the Trial Court's rulings are clearly erroneous and misapply Texas Law.

V. The Jury's Decision Regarding Private Nuisance Is Against The Great Weight And Preponderance Of The Evidence.

TASI offered just two paragraphs and one argument to support affirming the jury's answer to the private nuisance jury question:¹⁰ Ramirez claims TASI offered no evidence Ramirez repeated and habitual polluting created any substantial interference. Brief of Appellee at 59. Ramirez is incorrect.

The record overwhelmingly shows Ramirez:

- Dumped dangerous fluids onto the ground: *see, e.g.*, RR4:42, 46, 54, 55 (dumped oil); RR4:56 (“massive amounts of oil and gas found on the ground”); RR4:57 (dumped oil); RR4:58 (dumped liquid and hazardous waste, including refrigerant); CX2:1486 (dumped vehicle fluids); RR4:71 (former employee testified ***Ramirez dumped oil and gas “All the time.”***).
- Failed to safely and properly store waste liquids: *see, e.g.*, PX53:813, 818; DX36; CX5:1510; CX10:1593-94, 1606; RR6:124; RR4:35.
- Left parts and vehicle bodies on the ground: *see, e.g.*, RR4:42, 43, 52-56; CX2:1485; CX10:1610-11 (Enforcement officer Bernal: ***“I’ve caught the location with motors on the ground, leaking fluids.”***).

See also PX60; APP:E.

Ramirez's misconduct created an extremely dangerous risk. The products he allows to seep into the air, ground and water are highly carcinogenic and toxic. RR5:59-60; RR8:161-62, 174. They mix with water to create a toxic waste, which

¹⁰ Ramirez characterized TASI's briefing on this Issue Presented as a “short discussion.” Brief of Appellee at 59. TASI submitted several pages of briefing and incorporated pages 1-9, 12-13, 17-25, 42, and 51 outlining the extensive evidence supporting TASI's nuisance claims. Brief of Appellant at 55.

flows onto the street abutting TASI's property. RR6:91-111, 140; *see also* RR3:137 ("[c]loudy, dirty, smelly, stinky" water pours out from Ramirez's property across from TASI). They mix with air, creating toxin-laced smoke that invades neighboring property, including TASI's property and the properties abutting TASI. Strong odors repeatedly emanate from Ramirez's property. CX12:1629. He has violated Chapter 16 and failed to satisfy BMPs at least hundred times. *See, e.g.*, APP:E.

The jury's failure to find Ramirez liable under TASI's claim of private nuisance is against the great weight and preponderance of the evidence. If this Court does not reverse the Trial Court's JNOV Order, TASI respectfully asks this Court reverse the Judgment and remand this case for a new trial.

CONCLUSION AND PRAYER FOR RELIEF

If a metal recycling business does not follow the industry standard of care—the BMPs—metal recycling is highly dangerous. The City recognized this hazard and enacted Chapter 16 adopting the BMPs. The evidence in this case overwhelming established that Ramirez has habitually failed to comply with BMPs (and therefore Chapter 16) for well over ten years. The City looked the other way, allowing this dangerous nuisance, over and over again.

The jury heard this evidence and did its job: It found the City was derelict in its duties and Ramirez's operations are a statutory public nuisance. Both because the City refused to enforce Chapter 16 and because Ramirez's illegal metal recycling

operations—resulting in habitually created pollution abutting and right across the street from TASI’s operations—harm TASI’s business interests and threaten to harm its property, TASI has standing to seek the injunctive relief the jury’s verdict mandates.

The Trial Court should have followed the law and proceeded with issuing an injunction. The Trial Court erred by disregarding the jury’s verdict and entering a take-nothing judgment for Ramirez. It erred by directing a verdict on TASI’s common law public nuisance-based claim. TASI therefore respectfully urges this Court reverse the Judgment, reinstate the jury’s verdict and remand this case for entry of a new judgment for injunctive relief. In the alternative, TASI requests a new trial.

Respectfully submitted,

/s/ Renée Yanta

RENÉE YANTA

State Bar No. 00787483

THE LAW FIRM OF RENÉE YANTA PLLC

8000 IH-10 West, Suite 600

San Antonio, Texas 78230

Tel: 210-774-4088

formerjudge@reneeyantalaw.com

MR. JON T. POWELL
State Bar No. 0079726
MR. MICKEY JOHNSON
State Bar No. 24094002
THE POWELL LAW FIRM
1148 E. Commerce Street
San Antonio, TX 78205
Tel: 210.225.9300

**Appellate Counsel for Appellants,
Texas Auto Salvage, Inc., Gary Hack and
Daniel Hack**

CERTIFICATE OF COMPLIANCE

Pursuant to Tex. R. App. P. 9.4, I certify this Reply Brief contains 7233 words, excluding portions not required to be counted. This is a computer-generated document created in Microsoft Word, using Times New Roman, 14-point font for all text, except for footnotes and pdf's, which are in 12-point font.

/s/ Renée Yanta
RENÉE YANTA

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Brief of Appellants has been served on the following counsel in accordance with Texas Rules of Appellate Procedure, on the 17th day of December 2020:

ROBERT G. GARZA
Texas State Bar No. 07737700
THE LAW OFFICE OF ROBERT G. GARZA
7800 Interstate Highway 10 West, Suite 111
San Antonio, Texas 78230
Telephone: (210) 344-5665
Email: robertggarza@cs.com

GREGORY T. VAN CLEAVE
Texas State Bar No. 24037881
THE LAW OFFICE OF ALBERT W. VAN CLEAVE, III PLLC
1520 W. Hildebrand
San Antonio, Texas 78201
Telephone: (210) 341-6588
Email: greg_v@vancleavelegal.com

SAMUEL V. "SAM" HOUSTON
Texas State Bar No. 24041135
HOUSTON DUNN, PLLC
4040 Broadway Street, Suite 515
San Antonio, Texas 78209
Telephone: (210) 775-0882
EMAIL: SAM@HDAPPEALS.COM

/s/ Renée Yanta
RENÉE YANTA

APPENDIX

Appendix Item	Record Cite	Appendix Reference
Jury Charge	CR3:2383-2401	APP:A (filed with Brief of Appellant)
Order granting Judgment Notwithstanding the Verdict	CR3:2444-46	APP:B (filed with Brief of Appellant)
Judgment	CR3:2438-41	APP:C (filed with Brief of Appellant)
Division 2.-Metal Recycling Entities, Chapter 16 of the City of San Antonio Code	PX30	APP:D (filed with Brief of Appellant)
Violations Chart (included in word count)	Compiled from PX1, PX4, PX25	APP:E (filed with Brief of Appellant)
Motion to Enter Proposed Judgment	Supplemental Record (requested)	APP:F (attached)

APPENDIX F

CAUSE NO. 2010-CI-02500

TEXAS AUTO SALVAGE, INC.,	§	IN THE DISTRICT COURT
GARY HACK, AND DANIEL HACK,	§	
	§	
PLAINTIFFS,	§	
	§	
VS.	§	37 th JUDICIAL DISTRICT
	§	
D D RAMIREZ, INC., DANNY RAMIREZ	§	
RECYCLING, INC., SAN ANTONIO	§	
AUTO & TRUCK SALVAGE, DANNY'S	§	
RECYCLING & PRECIOUS METALS,	§	
LLC, DANNY'S RECYCLING, INC.,	§	
AND DANIEL DELAGARZA RAMIREZ,	§	
	§	
DEFENDANTS.	§	BEXAR COUNTY, TEXAS

PLAINTIFFS TEXAS AUTO SALVAGE, INC.'S, GARY HACK'S AND DANIEL HACK'S MOTION FOR ENTRY OF JUDGMENT

COMES NOW Plaintiffs Texas Auto Salvage, Inc., Gary Hack and Daniel Hack (collectively referred to hereinafter as "Plaintiffs") and respectfully request that the Honorable Court enter the Final Judgment submitted contemporaneously herewith by the Plaintiffs.

On October 16, 2018, the Honorable Judge Michael Mery called this case for trial. Plaintiffs Texas Auto Salvage, Inc., Gary Hack and Daniel Hack appeared in person, through their attorneys of record Jon Powell and John "Mickey" Johnson, and announced ready for trial. Defendants D D Ramirez, Inc., Danny Ramirez Recycling, Inc., San Antonio Auto and Truck Salvage, Danny's Recycling & Precious Metals, LLC, Danny's Recycling, Inc. and Daniel Delagarza Ramirez (collectively referred to hereinafter as "Defendants") appeared in person, through their attorneys of record Robert Garza and Gregory Van Cleave, and announced ready for trial. The Honorable Court impaneled and swore the jury, which heard the evidence and arguments of counsel. The Honorable Court submitted questions, definitions, and instructions to the jury. In response, the jury made findings that the Honorable Court received, filed and entered

of record. A true and correct copy of the jury verdict form with the jury findings is attached hereto as Exhibit “A” and is incorporated by reference as if set forth in full herein. The Plaintiffs, through their attorneys of record, hereby respectfully approach the Honorable Court with the contemporaneously filed Final Judgment based upon the jury’s verdict and request that the Honorable Court enter this Final Judgment.

WHEREFORE, PREMISES CONSIDERED, the Plaintiffs respectfully request that this Honorable Court sign the Final Judgment submitted contemporaneously herewith by the Plaintiffs.

Respectfully submitted,

THE POWELL LAW FIRM

By: /S/ John “Mickey” Johnson
John “Mickey” Johnson
Texas State Bar No. 24094002

Jon Powell
Texas State Bar No. 00797260
1148 East Commerce
San Antonio, Texas 78205
Office: (210) 225-9300
Fax: (210) 225-9301
Mobile: (210) 336-0330
E-mail: mickey@jpowell-law.com,
jon@jpowell-law.com

Counsel For Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served electronically and/or via facsimile to all counsel of record on this the 14th day of January, 2019, to the following counsel of record in accordance with the Texas Rules of Civil Procedure.

Robert G. Garza

THE LAW OFFICE OF ROBERT G. GARZA

Texas State Bar No. 07737700

7800 Interstate Highway 10 West, Suite 111

San Antonio, Texas 78230

Telephone: (210) 344-5665

Facsimile: (210) 344-4064

Email: robertggarza@cs.com

Counsel for Defendants D D Ramirez, Inc., Danny Ramirez Recycling, Inc., San Antonio Auto and Truck Salvage, Danny's Recycling & Precious Metals, LLC, Danny's Recycling, Inc. and Daniel Delagarza Ramirez

Gregory T. Van Cleave

THE LAW OFFICE OF ALBERT W. VAN CLEAVE, III PLLC

Texas State Bar No. 24037881

1520 W. Hildebrand

San Antonio, Texas 78201

Telephone: (210) 341-6588

Fax: (210) 341-6589

Email: greg_v@vancleavelegal.com

Counsel for Defendants D D Ramirez, Inc., Danny Ramirez Recycling, Inc., San Antonio Auto and Truck Salvage, Danny's Recycling & Precious Metals, LLC, Danny's Recycling, Inc. and Daniel Delagarza Ramirez

/S/ John "Mickey" Johnson

John "Mickey" Johnson

Exhibit “A”

**TEXAS AUTO SALVAGE, INC.,
GARY HACK, AND DANIEL HACK,**

VS.

DEFENDANTS.

131st JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

CHARGE OF COURT

LADIES AND GENTLEMEN OF THE JURY:

This case is submitted to you by asking questions about the facts, which you must decide from the evidence you have heard in this trial. You are the sole judges of the credibility of the witnesses and the weight to be given their testimony, but in matters of law, you must be governed by the instructions in this charge. In discharging your responsibility on this jury, you will observe all the instructions which have previously been given you. I shall now give you additional instructions which you should carefully and strictly follow during your deliberations.

1. Do not let bias, prejudice or sympathy play any part in your deliberations.
2. In arriving at your answers, consider only the evidence introduced here under oath and such exhibits, if any, as have been introduced for your consideration under the rulings of the court, that is, what you have seen and heard in this courtroom, together with the law as given you by the court. In your deliberations, you will not consider or discuss anything that is not represented by the evidence in this case.
3. Since every answer that is required by the charge is important, no juror should state or consider that any required answer is not important.
4. You must not decide who you think should win, and then try to answer the questions accordingly. Simply answer the questions, and do not discuss nor concern yourselves with the effect of your answers.
5. You will not decide the answer to a question by lot or by drawing straws, or by any other method of chance. Do not return a quotient verdict. A quotient verdict means that the jurors

agree to abide by the result to be reached by adding together each juror's figures and dividing by the number of jurors to get an average. Do not do any trading on your answers; that is, one juror should not agree to answer a certain question one way if others will agree to answer another question another way.

6. You may render your verdict upon the vote of ten or more members of the jury, unless instructed that your answer to a particular question must be unanimous. The same ten or more of you must agree upon all of the answers made and to the entire verdict. You will not, therefore, enter into an agreement to be bound by a majority or any other vote of less than ten jurors. If the verdict and all of the answers therein are reached by unanimous agreement, the presiding juror shall sign the verdict for the entire jury. If any juror disagrees as to any answer made by the verdict, those jurors who agree to all findings shall each sign the verdict.

These instructions are given you because your conduct is subject to review the same as that of the witnesses, parties, attorneys and the judge. If it should be found that you have disregarded any of these instructions, it will be jury misconduct and it may require another trial by another jury; then all of our time will have been wasted.

The presiding juror or any other who observes a violation of the court's instructions shall immediately warn the one who is violating the same and caution the juror not to do so again.

When words are used in this charge in a sense that varies from the meaning commonly understood, you are given a proper legal definition, which you are bound to accept in place of any other meaning.

Answer "Yes" or "No" to all questions unless otherwise instructed. A "Yes" answer must be based on a preponderance of the evidence *unless otherwise instructed*. If you do not find that a preponderance of the evidence supports a "Yes" answer, then answer "No." The term "preponderance of the evidence" means the greater weight and degree of credible evidence admitted in this case. Whenever a question requires an answer other than "Yes" or "No," your answer must be based on a preponderance of the evidence *unless otherwise instructed*.

After you retire to the jury room, you will select your own presiding juror. The first thing the presiding juror will do is to have this complete charge read aloud and then you will deliberate upon your answers to the questions asked.

It is the duty of the presiding juror:

1. to preside during your deliberations,
2. to see that your deliberations are conducted in an orderly manner and in accordance with the instructions in this charge,
3. to write out and hand to the bailiff any communications concerning the case that you desire to have delivered to the judge,

4. to vote on the questions,
5. to write your answers to the questions in the spaces provided, and
6. to certify to your verdict in the space provided for the presiding juror's signature or to obtain the signatures of all the jurors who agree with the verdict if your verdict is less than unanimous.

You should not discuss the case with anyone, not even with other members of the jury, unless all of you are present and assembled in the jury room. Should anyone attempt to talk to you about the case before the verdict is returned, whether at the courthouse, at your home, or elsewhere, please inform the judge of this fact.

When you have answered all the questions you are required to answer under the instructions of the judge and your presiding juror has placed your answers in the spaces provided and signed the verdict as presiding juror or obtained the signatures, you will inform the bailiff at the door of the jury room that you have reached a verdict, and then you will return into court with your verdict.

DIRECT AND CIRCUMSTANTIAL EVIDENCE

A fact may be established by direct evidence or by circumstantial evidence or both. A fact is established by direct evidence when proved by documentary evidence or by witnesses who saw the act done or heard the words spoken. A fact is established by circumstantial evidence when it may be fairly and reasonably inferred from other facts proved.

PROXIMATE CAUSE

"Proximate cause" means a cause that was a substantial factor in bringing about an occurrence or injury, and without which cause such occurrence or injury would not have occurred. In order to be a proximate cause, the act or omission complained of must be such that a person using ordinary care would have foreseen that the occurrence or injury, or some similar occurrence or injury, might reasonably result therefrom. There may be more than one proximate cause of an occurrence or injury.

QUESTION NO. 1 – Private Nuisance – Intentional or Negligent Conduct

Defendants D D Ramirez, Inc., Danny's Recycling & Precious Metals, LLC, and/or Danny's Recycling, Inc. located at 819, 914 and 925 Somerset Road creates a "private nuisance" if their conduct substantially interferes with Plaintiffs Texas Auto Salvage, Inc.'s, Gary Hack's, and/or Daniel Hack's use and enjoyment of their land.

"Substantial interference" means that Defendants' D D Ramirez, Inc., Danny's Recycling & Precious Metals, LLC, and/or Danny's Recycling, Inc. located at 819, 914 and 925 Somerset Road conduct must cause unreasonable discomfort or annoyance to a person of ordinary sensibilities attempting to use and enjoy the person's land. It is more than a slight inconvenience or petty annoyance.

"Intentionally" means that Defendants D D Ramirez, Inc., Danny's Recycling & Precious Metals, LLC, and/or Danny's Recycling, Inc. located at 819, 914 and 925 Somerset Road acted with intent with respect to the nature of their conduct or to a result of their conduct when it was their conscious objective or desire to engage in the conduct or the result.

"Negligently" means that Defendants D D Ramirez, Inc., Danny's Recycling & Precious Metals, LLC, and/or Danny's Recycling, Inc. located at 819, 914 and 925 Somerset Road failed to use ordinary care, that is, failed to do that which a person of ordinary prudence would have done under the same or similar circumstances or did that which a person of ordinary prudence would not have done under the same or similar circumstances.

"Ordinary care" means that degree of care that would be used by a person of ordinary prudence under the same or similar circumstances.

QUESTION:

Did any of the following Defendants intentionally or negligently create a private nuisance?

Answer "Yes" or "No" for each of the following Defendants:

a) D D Ramirez, Inc., located at 914 Somerset Road, San Antonio, Texas.

NO

b) Danny's Recycling & Precious Metals, LLC located at 819 Somerset Road, San Antonio, Texas.

NO

c) Danny's Recycling, Inc. ⁸²⁵⁻⁹²⁵ is located at 925 Somerset Road, San Antonio, Texas.

NO

QUESTION NO. 2 – Public Nuisance – Dereliction of Duties

“Derelict” means the City of San Antonio and/or its employees failed to respond to their duties.

QUESTION:

Was the City of San Antonio and/or its employees derelict in their duties by not properly enforcing City of San Antonio Municipal Code Chapters 10 and 16 or by not bringing suit for a public nuisance as against Defendants D D Ramirez, Inc., Danny’s Recycling & Precious Metals, LLC, and Danny’s Recycling, Inc. located at 819, 914 and 925 Somerset Road?

Answer “Yes” or “No”: Yes

If you answered Question 2 "Yes," then answer Question 3. Otherwise, do not answer Question 3.

QUESTION NO. 3 – Public Nuisance – Pursuant to Section 16-210.07 of Chapter 16 of the City of San Antonio Municipal Code

City of San Antonio Municipal Code Section 16-210.7(b): "Conditions maintained in violation of this division which impact public health, safety, or welfare, or which deprive neighbors of their safe or peaceful use of nearby properties shall be unlawful and shall be deemed a public nuisance."

QUESTION:

Are any of the following Defendants a "public nuisance" as that term is defined by section 16-210.07(b) of the City of San Antonio Municipal Code, as set forth above?

Answer "Yes" or "No" for each of the following Defendants:

- a) D D Ramirez, Inc., located at 914 Somerset Road, San Antonio, Texas.

_____NO_____

- b) Danny's Recycling & Precious Metals, LLC located at 819 Somerset Road, San Antonio, Texas.

_____Yes_____

- c) Danny's Recycling, Inc. located at 925 Somerset Road, San Antonio, Texas.

_____Yes_____

If you answered Question 3 "Yes," then answer Question 4. Otherwise, do not answer Question 4.

QUESTION NO. 4 – Attorneys' Fees

What is a reasonable fee for the necessary services of The Powell Law Firm, attorneys in this case, stated in dollars and cents?

Consider the following factors in determining reasonable attorneys' fees:

1. The time and labor involved, the novelty of the questions involved, the skill required to perform the legal services properly;
2. the fee customarily charged in the locality for similar legal services;
3. the time limitations imposed by the client or the circumstances;
4. the amount involved and the results obtained; and
5. the experience, reputation, and ability of the lawyer or lawyers performing the services.

Answer an amount for each of the following:

- A. For preparation and trial

Answer: \$ 86,000

QUESTION NO. 5 - ARSON

Arson is defined as follows:

(a) A person commits an offense if the person starts a fire, regardless of whether the fire continues after ignition, or causes an explosion with intent to destroy or damage:

(1) any vegetation, fence, or structure on open-space land; or

(2) any building, habitation, or vehicle:

(A) knowing that it is within the limits of an incorporated city or town;

(B) knowing that it is located on property belonging to another;

(C) knowing that it has located within it property belonging to another; or

(D) when the person is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.

Tex Penal Code Sec. 28.02. ARSON.

QUESTION:

Do you find that any of the following committed Arson related to the burning of the car crusher located at 925 Somerset Rd on or about July 21, 2011?

Answer "Yes" or "No."

Texas Auto Salvage Inc. or its agent NO

Daniel Hack or his agent NO

Gary Hack or his agent NO

If you have answered question number 5 "Yes", then answer question number 6; otherwise, do not answer question number 6. Answer question number 6 only as to those entities or persons you answered "Yes" to in question number 5.

QUESTION NO. 6

What sum of money, if any, paid now in cash would fairly and reasonably compensate Daniel Delagarza Ramirez for his damages, if any, that resulted from the Arson related to the burning of the car crusher located at 925 Somerset Road on or about July 21, 2011?

Answer in dollars and cents, if any, for the economic damages to the car crusher.

Answer: \$ n/a

Answer the following question No. 7, only if you unanimously answered "Yes" to Question No. 5 and answered with a dollar amount for Question No. 6. Otherwise, do not answer Question No. 7. Answer question number 7 only as to those entities or persons you answered "Yes" to in question number 5.

You are instructed that, in order to answer "Yes" to the following Question No. 7, your answer must be unanimous. You may answer "No" to the following Question No. 7 only upon a vote of ten or more jurors. Otherwise, you must not answer the following question.

QUESTION NO. 7:

"Clear and convincing evidence" means the measure or degree of proof that produces a firm belief or conviction of the truth of the allegations sought to be established.

"Malice" means: (a) a specific intent by Texas Auto Salvage Inc., Daniel Hack, and/or Gary Hack to cause substantial injury to Daniel Delagarza Ramirez; or (b) an act or omission by Texas Auto Salvage Inc., Daniel Hack, and/or Gary Hack (i) which, when viewed objectively from the standpoint of Daniel Delagarza Ramirez at the time of its occurrence, involved an extreme degree of risk, considering the probability and magnitude of the potential harm to others; and (ii) of which Texas Auto Salvage Inc., Daniel Hack, and/or Gary Hack had actual, subjective awareness of the risk involved, but nevertheless proceeded with conscious indifference to the rights, safety, or welfare of others.

QUESTION:

Do you find by clear and convincing evidence that the harm to Daniel Delagarza Ramirez resulted from malice on the part of any of the following?

Answer "Yes" or "No:"

Texas Auto Salvage Inc. or its agent n/a

Daniel Hack or his agent n/a

Gary Hack or his agent n/a

Answer the following question No. 8, only if you unanimously answered "Yes" to Question No. 7. Otherwise, do not answer Question No. 8. Answer question number 8 only as to those entities or persons you answered "Yes" to in question number 7.

You are instructed that, in order to answer with a dollar amount to the following Question No. 8, your answer must be unanimous.

QUESTION NO. 8:

"Exemplary damages" means an amount that you may in your discretion award as a penalty or by way of punishment.

QUESTION:

What sum of money, if any, if paid now in cash, should be assessed against any of the following and awarded to Daniel Delagarza Ramirez as exemplary damages, if any, for the conduct found in response to Question No. 5?

Factors to consider in awarding exemplary damages, if any, are:

- a. The nature of the wrong.
- b. The character of the conduct involved.
- c. The degree of culpability of Texas Auto Salvage, Inc. Gary Hack and/or Daniel Hack
- d. The situation and sensibilities of the parties concerned.
- e. The extent to which such conduct offends a public sense of justice and propriety.

Answer in dollars and cents, if any.

Answer: \$ n/a

If you have answered question number 9 "Yes", then answer question number 10; otherwise, do not answer question number 10. Answer question number 10 only as to those entities or persons you answered "Yes" to in question number 9.

QUESTION NO. 10

What sum of money, if any, paid now in cash would fairly and reasonably compensate Daniel Delagarza Ramirez for his damages, if any, that resulted from Invasion of Privacy committed by any of the following?

Answer in dollars and cents, if any.

A. Nominal Damages.

Answer: \$ n/a

B. Mental anguish sustained in the past by Daniel Delagarza Ramirez.

Answer: \$ n/a

C. Mental anguish that, in reasonable probability, Daniel Delagarza Ramirez, will sustain in the future.

Answer: \$ n/a

Answer the following question No. 11, only if you unanimously answered "Yes" to Question No. 9 and answered with a dollar amount for Question No. 10. Otherwise, do not answer Question No. 11. Answer question number 11 only as to those entities or persons you answered "Yes" to in question number 9.

You are instructed that, in order to answer "Yes" to the following Question No. 11, your answer must be unanimous. You may answer "No" to the following Question No. 11 only upon a vote of ten or more jurors. Otherwise, you must not answer the following question.

QUESTION NO. 11:

"Clear and convincing evidence" means the measure or degree of proof that produces a firm belief or conviction of the truth of the allegations sought to be established.

"Malice" means: (a) a specific intent by Texas Auto Salvage Inc., Daniel Hack, and/or Gary Hack to cause substantial injury to Daniel Delagarza Ramirez; or (b) an act or omission by Texas Auto Salvage Inc., Daniel Hack, and/or Gary Hack (i) which, when viewed objectively from the standpoint of Texas Auto Salvage Inc., Daniel Hack, and/or Gary Hack at the time of its occurrence, involved an extreme degree of risk, considering the probability and magnitude of the potential harm to others; and (ii) of which Texas Auto Salvage Inc., Daniel Hack, and/or Gary Hack had actual, subjective awareness of the risk involved, but nevertheless proceeded with conscious indifference to the rights, safety, or welfare of others.

QUESTION:

Do you find by clear and convincing evidence that the harm to Daniel Delagarza Ramirez resulted from malice on the part of any of the following?

Answer "Yes" or "No:"

Texas Auto Salvage Inc. or its agent

n/a

Daniel Hack or his agent

n/a

Gary Hack or his agent

n/a

Answer the following question No. 12, only if you unanimously answered "Yes" to Question No. 11. Otherwise, do not answer Question No. 12.

You are instructed that, in order to answer with a dollar amount to the following Question No. 12, your answer must be unanimous.

QUESTION NO. 12:

"Exemplary damages" means an amount that you may in your discretion award as a penalty or by way of punishment.

QUESTION:

What sum of money, if any, if paid now in cash, should be assessed against any of the following and awarded to Daniel Delagarza Ramirez as exemplary damages, if any, for the conduct found in response to Question No. 9?

Factors to consider in awarding exemplary damages, if any, are:

- a. The nature of the wrong.
- b. The character of the conduct involved.
- c. The degree of culpability of Texas Auto Salvage, Inc., Gary Hack and Daniel Hack
- d. The situation and sensibilities of the parties concerned.
- e. The extent to which such conduct offends a public sense of justice and propriety.

Answer in dollars and cents, if any.

Answer: \$ n/a

If you answer "No" to question 3, answer questions 13 and 14. Otherwise do not answer questions 13 and 14.

QUESTION NO. 13 – Attorneys' Fees

What is a reasonable fee for the necessary services of Robert Garza, attorney, in this case, stated in dollars and cents?

Consider the following factors in determining reasonable attorneys' fees:

1. The time and labor involved, the novelty of the questions involved, the skill required to perform the legal services properly;
2. the fee customarily charged in the locality for similar legal services;
3. the time limitations imposed by the client or the circumstances;
4. the amount involved and the results obtained; and
5. the experience, reputation, and ability of the lawyer or lawyers performing the services.

Answer an amount for each of the following:

A. For preparation and trial

Answer: \$ n/a

QUESTION NO. 14 – Attorneys' Fees

What is a reasonable fee for the necessary services of Gregory T. Van Cleave, attorney, in this case, stated in dollars and cents?

Consider the following factors in determining reasonable attorneys' fees:

1. The time and labor involved, the novelty of the questions involved, the skill required to perform the legal services properly;
2. the fee customarily charged in the locality for similar legal services;
3. the time limitations imposed by the client or the circumstances;
4. the amount involved and the results obtained; and
5. the experience, reputation, and ability of the lawyer or lawyers performing the services.

Answer an amount for each of the following:

A. For preparation and trial

Answer: \$ n/a

Presiding Juror

1. When you go into the jury room to answer the questions, the first thing you will need to do is choose a presiding juror.
2. The presiding juror has these duties:
 - a. Have the complete charge read aloud if it will be helpful to your deliberations;
 - b. preside over your deliberations, meaning manage the discussions, and see that you follow these instructions;
 - c. give written questions or comments to the bailiff who will give them to the judge;
 - d. write down the answers you agree on;
 - e. get the signatures for the verdict certificate; and
 - f. notify the bailiff that you have reached a verdict.

Instructions for Signing the Verdict Certificate

1. Unless otherwise instructed, you may answer the questions on a vote of ten jurors. The same ten jurors must agree on every answer in the charge. This means you may not have one group of ten jurors agree on one answer and different group of ten jurors agree on another answer.
2. If ten jurors agree on every answer, those ten jurors sign the verdict. If eleven jurors agree on every answer, those eleven jurors sign the verdict. If all twelve of you agree on every answer, you are unanimous and only the presiding juror signs the verdict.
3. All jurors should deliberate every question. You may end up with all twelve of you agreeing on some answers, while only ten of you agree on other answers. But when you sign the verdict, only those ten who agree on every answer will sign the verdict.
4. There are some special instructions before questions 5, 7, 8, 9, 11 and 12 explaining how to answer those questions. Please follow the instructions. If all twelve of you answer those questions, you will need to complete a second verdict certificate for those questions.

Do you understand these instructions? If you do not, please tell me now.


JUDGE PRESIDING

Verdict Certificate

Check one:

_____ Our verdict is unanimous. All twelve of us have agreed on each and every answer. The presiding juror has signed the certificate for all of us.

(To be signed by the presiding juror if the jury is unanimous.)



PRESIDING JUROR

Misty M Trevino

Printed Name of Presiding Juror

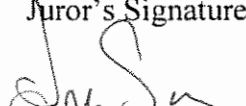
_____ Our verdict is not unanimous. Eleven of us have agreed to each and every answer and have signed the certificate below.

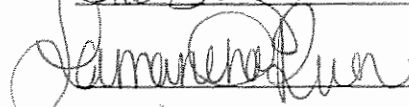
☒ Our verdict is not unanimous. Ten of us have agreed to each and every answer and have signed the certificate below.

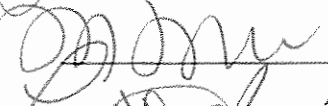
(To be signed by those rendering the verdict if the jury is not unanimous.)


Juror's Signatures


Juror's Printed Names




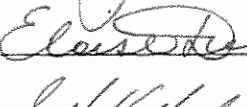


















Jesse Suarez

Samantha Rush

Misty M Trevino

Lisa Martinez

Oskar Aguilar

Dominador Paulina

Johnny Flores

Eloise Dunlop

Seth Ketterling

Mabel R. R.

Gabriel Breauux

If you have answered Question No. ^{now 5} 7, 8, 11 and 12, then you must sign this certificate also.

Additional Certificate

I certify that the jury was unanimous in answering the following questions. All 12 of us agreed to each of the answers. The presiding juror has signed the certificate for all 12 of us. Please place a check mark below for the questions that were answered unanimously by the jury.

_____ Question 5

_____ Question 7

_____ Question 8

_____ Question 9

_____ Question 11

_____ Question 12

PRESIDING JUROR

Printed Name of Presiding Juror

BY
Marie E. Jones

DEPUTY

18 NOV -5 PM 2:41

CONNA KAY KINNEY
DISTRICT CLERK
BEXAR COUNTY



37th Judicial District Court

MICHAEL E. MERY
Judge

BEXAR COUNTY COURTHOUSE
San Antonio, Texas 78205
(210) 335-2515

JURY QUESTION

I have been appointed
presiding juror.

Misty M Trevino

Michael E. Mery

BY

DEPUTY

18 NOV -2 PM 1:34

DEANNA J. HENNING
DISTRICT CLERK
BEXAR COUNTY

Misty M Trevino 11/21/18

PRESIDING JUROR

DATE



37th Judicial District Court

MICHAEL E. MERY
Judge

BEXAR COUNTY COURTHOUSE
San Antonio, Texas 78205
(210) 335-2515

JURY QUESTION

3 pm break

DOMINIC J. JENNINNEY
DISTRICT CLERK
18 NOV - 2 PM 1:34
BY
DEPUTY

Misty Trento 11/21/18

PRESIDING JUROR DATE

Misty Trento



37th Judicial District Court

MICHAEL E. MERY
Judge

BEXAR COUNTY COURTHOUSE
San Antonio, Texas 78205
(210) 335-2515

JURY QUESTION

Do we have a name the same

as the one on all 14

questions?

For example, question 3 has 3 parts

Do we all have to agree on all 3

answers?

what happens if we almost agree on all 14

11/5/18, 11:31 AM

PRESIDING JUROR

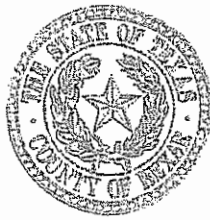
DATE

DOWNA KAY MCKINNEY
DISTRICT CLERK
BEXAR COUNTY

18 NOV -5 PM 1:31

DEPUTY

BY *[Signature]*



37th Judicial District Court

MICHAEL E. MERY
Judge

BEXAR COUNTY COURTHOUSE
San Antonio, Texas 78205
(210) 335-2515

JURY QUESTION

What is the question?

Is the defendant guilty of the crime charged?

Do you believe the evidence is sufficient to prove the defendant guilty beyond a reasonable doubt?

T. L. HICKINNEY
DONNA KAY HICKINNEY
DISTRICT CLERK
BEXAR COUNTY

18 NOV -5 PM 1:48

DEPUTY

Michael E. Mery

Michael E. Mery

PRESIDING JUROR DATE

CAUSE NO. 2010-CI-02500

**TEXAS AUTO SALVAGE, INC.,
GARY HACK, AND DANIEL HACK,**

PLAINTIFFS,

VS.

**D D RAMIREZ, INC., DANNY RAMIREZ
RECYCLING, INC., SAN ANTONIO
AUTO & TRUCK SALVAGE, DANNY'S
RECYCLING & PRECIOUS METALS,
LLC, DANNY'S RECYCLING, INC.,
AND DANIEL DELAGARZA RAMIREZ,**

DEFENDANTS.

IN THE DISTRICT COURT

37th JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

FINAL JUDGMENT

1. On October 16, 2018, the Honorable Judge Michael Mery called this case for trial. Plaintiffs Texas Auto Salvage, Inc., Gary Hack and Daniel Hack appeared in person, through their attorneys of record Jon Powell and John “Mickey” Johnson, and announced ready for trial. Defendants D D Ramirez, Inc., Danny Ramirez Recycling, Inc., San Antonio Auto and Truck Salvage, Danny’s Recycling & Precious Metals, LLC, Danny’s Recycling, Inc. and Daniel Delagarza Ramirez (collectively referred to hereinafter as “Defendants”) appeared in person, through their attorneys of record Robert Garza and Gregory Van Cleave, and announced ready for trial. The Honorable Court impaneled and swore the jury, which heard the evidence and arguments of counsel. The Honorable Court submitted questions, definitions, and instructions to the jury. In response, the jury made findings that the Honorable Court received, filed and entered of record. The jury found that the City of San Antonio (“COSA”) and/or its employees were derelict in their duties by not properly enforcing City of San Antonio Municipal Code Chapters 10 and 16 or by not bringing suit for a public nuisance as against Defendants D D Ramirez, Inc., Danny’s

Recycling & Precious Metals, LLC and Danny's Recycling, Inc. located at 819, 914 and 925 Somerset Road. The jury also found that Defendants Danny's Recycling & Precious Metals, LLC and Danny's Recycling, Inc. located at 819 and 925 Somerset Road are a "public nuisance" as that term is defined by Section 16-210.07(b) of Chapter 16 of the City of San Antonio Municipal Code. A true and correct copy of the jury verdict form with the jury findings is attached hereto as Exhibit "A" and is incorporated by reference as if set forth in full herein. This Honorable Court enters this Final Judgment based upon the evidence, arguments of counsel and verdict of the jury.

The Honorable Court FINDS and AWARDS the following:

2. Plaintiffs have on file a petition asserting as causes of action against Defendants for public nuisance, private nuisance, defamation, and invasion of privacy, declaratory relief and a request for injunctive relief. The defamation and invasion of privacy causes of action were dropped by Plaintiffs prior to trial and no evidence was presented at trial to support those causes of action. After the trial on the merits, the jury found that the Defendant was not liable for private nuisance. The public nuisance cause of action, declaratory relief action and request for injunctive relief have been proven by affidavits, documents on file, evidence offered at trial before the court, and other good and sufficient pleadings and evidence. The foregoing causes of action relate to violations of state laws governing public health and safety, as well as, other environmental laws enforced by the Texas Commission on Environmental Quality ("TCEQ"), San Antonio Water System, and the City of San Antonio ("COSA"), as well as, COSA's dereliction of duty as that term is defined by *Ort v. Bowden*, 148 S.W. 1145, 1148 (Tex. App. – Galveston 1912, no writ). All of the violations at issue and COSA's dereliction of duty have been proven by the evidence submitted to the Honorable Court.

3. The expert witness statement of Afamia Elnakat, Ph.D., R.E. dated September 14, 2018 (“Expert Statement”) submitted herein by Plaintiffs and not objected to by Defendants establishes the numerous violations of Chapter 16 Article VII of City of San Antonio Municipal Code, specifically Section 16-210.3 by Defendants herein. The Expert Statement further establishes that the Defendants business operations lack the implementation of best management practices and as a result have provided and continue to provide a potential environmental risk, fire risk, and public health concern due to the exposure of:

- a. Organic contaminants more specifically volatile aromatic hydrocarbons and polycyclic aromatic hydrocarbons (PAHs), such as 2-methylnaphthalene (Group C – possible human carcinogen) that was historically found from samples onsite to exceed regulatory limits by over two folds,
- b. Inorganic metals (especially heavy metals with double digit specific gravities that are documented human health toxins through their neurotoxic effects). More specifically, a concern of combining the metals onsite with potential leaking battery acids and other vehicle fuels that could compromise the metal and allow the metal to leach with stormwater.
- c. Biological hazards and vectors due to the unkempt conditions onsite.
- d. Fire hazard, and smoke exposure due to the unkempt conditions onsite and history of fire onsite.

4. Defendants’ business activities violate, among other things, Chapter 16 Article VII of City of San Antonio Municipal Code. Specifically Section 16-210.3(a) (Salvage materials arranged so that a reasonable inspection of, or access to, all parts of the premises can be had at any time); Section 16-210.3(b) (No salvage materials shall be placed in any manner outside of the metal

recycling entity's surrounding screen fence or wall; Section 16-210.3(c) (Premises shall be kept clean of any weeds and/or brush over twelve (12) inches tall); Section 16-210.3(d) (Upon the metal recycling entity's possession of all salvage materials, contaminated liquid wastes along with other contaminated materials, hazardous waste, and special waste—including Freon—shall be removed from the salvage materials and contained, stored, and disposed in compliance with all applicable state and federal regulations Disposal of accumulated contaminated liquids and materials shall be accomplished by a duly licensed contractor.); Section 16-210.3(e) (All liquid waste shall be stored only in above ground containers in accordance with applicable federal, state and local laws and administrative regulations. It is unlawful for any waste to be held in a container that leaks, is in any other manner not in compliance with state and federal regulations, or in any manner fails to completely contain the material in question); Section 16-210.3(f) (All solid waste, regardless of character or category, shall be so contained as to cause or allow no release or spill of the material in question); and (g) (All metal recycling entities, as defined by this division, shall have a fire safety path. No salvage materials shall be placed within ten (10) feet of the surrounding wall or screen fence.).

5. The damages described in the Plaintiffs' live pleadings as against Defendants are proven by affidavits, documents on file, evidence offered at trial before the court, and other good and sufficient pleadings and evidence.

6. Plaintiffs have elected to seek injunctive relief and forego any claims to money damages as a result of Defendants Danny's Recycling & Precious Metals, LLC's, and Danny's Recycling, Inc.'s public nuisance activities. The injunctive relief sought and hereby granted is supported by the testimony of Plaintiffs' environmental expert Afamia Elnakat, Ph.D., R.E.

7. Based on the trial of this matter, arguments of counsel, witness testimony, pleadings, affidavits and other documents on file the Court finds that Plaintiffs are entitled to a permanent injunction against Defendants Danny's Recycling & Precious Metals, LLC and Danny's Recycling, Inc. located at 819 and 925 Somerset Road.

8. IT IS ORDERED that Defendants Danny's Recycling & Precious Metals, LLC and Danny's Recycling, Inc. shall conduct a Phase II Environmental Site Assessment that includes soil sampling and lab testing that satisfies the standards published by ASTM International - formerly known as the American Society for Testing and Materials - at 819 and 925 Somerset Road, San Antonio, TX 78211 by February 18, 2019.

9. IT IS FURTHER ORDERED that if the lab results from the soil testing contemplated by paragraph 9 of this order reveals that the soil is sufficiently contaminated pursuant to the standards published by ASTM International - formerly known as the American Society for Testing and Materials - to warrant remediation, Defendants Danny's Recycling & Precious Metals, LLC and Danny's Recycling, Inc. shall remediate the soil at the contaminated property be it one or more of 819 and 925 Somerset Road, San Antonio, TX 78211 by March 18, 2019.

10. IT IS FURTHER ORDERED that Defendants Danny's Recycling & Precious Metals, LLC and Danny's Recycling, Inc. shall implement a Comprehensive Environmental Management Plan that satisfies the standards published by the International Organization for Standardization to establish a permanent and organized environmental compliance system that includes screening tests, environmental company oversight, and periodic ongoing assessments with lab testing for the properties located at 819 and 925 Somerset Road, San Antonio, TX 78211 by April 1, 2019.

11. IT IS FURTHER ORDERED that Defendants Danny's Recycling & Precious Metals, LLC and Danny's Recycling, Inc. shall implement an Effluent Disposal & Management Plan for the properties located at 819 and 925 Somerset Road, San Antonio, TX 78211 by April 1, 2019.

12. IT IS FURTHER ORDERED that Defendants Danny's Recycling & Precious Metals, LLC and Danny's Recycling, Inc. shall provide Plaintiffs with quarterly assessments of the environmental compliance status of the properties located at 819 and 925 Somerset Road, San Antonio, TX 78211.

13. IT IS FURTHER ORDERED that if Defendants Danny's Recycling & Precious Metals, LLC and Danny's Recycling, Inc. are cited with three or more violations of COSA Municipal Code Chapter 16 Liquid Waste Storage Violations within a 6 month period at either 819 and 925 Somerset Road, San Antonio, TX 78211, Plaintiffs may (a) on the first occasion, go to Court to seek a 30-day closure of that property; and (b) on the second occasion, seek a permanent closure of that property.

14. IT IS FURTHER ORDERED that Plaintiffs may also seek to recover their attorneys' fees for actions brought under paragraph 14 of this order.

15. This Honorable Court also awards attorneys' fees to Plaintiffs as against Defendants Danny's Recycling & Precious Metals, LLC and Danny's Recycling, Inc. located at 819 and 925 Somerset Road under the Chapter 37 and Chapter 38 of the Texas Civil Practice & Remedies Code in the amount of \$86,000.00 (eight-six thousand dollars and zero cents).

16. The Honorable Court also awards to Plaintiffs as against Defendants Danny's Recycling & Precious Metals, LLC and Danny's Recycling, Inc. located at 819 and 925 Somerset Road costs of court totaling \$44,765.98 (forty-four-thousand seven-hundred-sixty-five dollars and

ninety-eight-three cents). The certificate of court costs is attached hereto as Exhibit “B” and is incorporated by reference as if set forth in full herein.

17. The Honorable Court therefore awards to Plaintiffs as against Defendants Danny’s Recycling & Precious Metals, LLC and Danny’s Recycling, Inc. located at 819 and 925 Somerset Road attorneys’ fees and cost of court in the overall amount of \$130,765.98 (one-hundred-thirty-thousand seven-hundred-sixty-five dollars and ninety-eight-three cents).

18. The Honorable Court also awards to Plaintiffs as against Defendants Danny’s Recycling & Precious Metals, LLC and Danny’s Recycling, Inc. located at 819 and 925 Somerset Road post-judgment interest on the total amount of the judgment herein, including attorney’s fees and costs of court, as set forth above, at the rate of 5% per annum, from the date this Final Judgment is signed by the Honorable Court, until paid, as set forth in the Texas Finance Code § 304.103.

19. IT IS HEREBY ORDERED that Plaintiffs are entitled to enforce this Final Judgment through abstract, execution and any other process necessary.

SIGNED on _____, _____, 2019.

The Honorable Michael Mery
37th District Court Judge
Bexar County Texas

FINAL JUDGMENT

SUBMITTED AND APPROVED AS TO FORM AND SUBSTANCE:

Jon Powell

Texas State Bar No. 00797260

John "Mickey" Johnson

Texas State Bar No. 24094002

THE POWELL LAW FIRM

1148 East Commerce Street

San Antonio, Texas 78205

Office: (210) 225-9300

Fax: (210) 225-9301

E-mail: jon@jpowell-law.com, mickey@jpowell-law.com

Counsel for Plaintiffs Texas Auto Salvage, Inc., Gary Hack and Daniel Hack

APPROVED AS TO FORM ONLY:

Robert G. Garza

THE LAW OFFICE OF ROBERT G. GARZA

Texas State Bar No. 07737700

7800 Interstate Highway 10 West, Suite 111

San Antonio, Texas 78230

Telephone: (210) 344-5665

Facsimile: (210) 344-4064

Email: robertgarza@cs.com

Counsel for Defendants D D Ramirez, Inc., Danny Ramirez Recycling, Inc., San Antonio Auto and Truck Salvage, Danny's Recycling & Precious Metals, LLC, Danny's Recycling, Inc. and Daniel Delagarza Ramirez

Gregory T. Van Cleave

THE LAW OFFICE OF ALBERT W. VAN CLEAVE, III PLLC

Texas State Bar No. 24037881

1520 W. Hildebrand

San Antonio, Texas 78201

Telephone: (210) 341-6588

Fax: (210) 341-6589

Email: greg_v@vancleavelegal.com

Counsel for Defendants D D Ramirez, Inc., Danny Ramirez Recycling, Inc., San Antonio Auto and Truck Salvage, Danny's Recycling & Precious Metals, LLC, Danny's Recycling, Inc. and Daniel Delagarza Ramirez

Exhibit “A”

**TEXAS AUTO SALVAGE, INC.,
GARY HACK, AND DANIEL HACK,**

VS.

DEFENDANTS.

131st JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

CHARGE OF COURT

LADIES AND GENTLEMEN OF THE JURY:

This case is submitted to you by asking questions about the facts, which you must decide from the evidence you have heard in this trial. You are the sole judges of the credibility of the witnesses and the weight to be given their testimony, but in matters of law, you must be governed by the instructions in this charge. In discharging your responsibility on this jury, you will observe all the instructions which have previously been given you. I shall now give you additional instructions which you should carefully and strictly follow during your deliberations.

1. Do not let bias, prejudice or sympathy play any part in your deliberations.
2. In arriving at your answers, consider only the evidence introduced here under oath and such exhibits, if any, as have been introduced for your consideration under the rulings of the court, that is, what you have seen and heard in this courtroom, together with the law as given you by the court. In your deliberations, you will not consider or discuss anything that is not represented by the evidence in this case.
3. Since every answer that is required by the charge is important, no juror should state or consider that any required answer is not important.
4. You must not decide who you think should win, and then try to answer the questions accordingly. Simply answer the questions, and do not discuss nor concern yourselves with the effect of your answers.
5. You will not decide the answer to a question by lot or by drawing straws, or by any other method of chance. Do not return a quotient verdict. A quotient verdict means that the jurors

agree to abide by the result to be reached by adding together each juror's figures and dividing by the number of jurors to get an average. Do not do any trading on your answers; that is, one juror should not agree to answer a certain question one way if others will agree to answer another question another way.

6. You may render your verdict upon the vote of ten or more members of the jury, unless instructed that your answer to a particular question must be unanimous. The same ten or more of you must agree upon all of the answers made and to the entire verdict. You will not, therefore, enter into an agreement to be bound by a majority or any other vote of less than ten jurors. If the verdict and all of the answers therein are reached by unanimous agreement, the presiding juror shall sign the verdict for the entire jury. If any juror disagrees as to any answer made by the verdict, those jurors who agree to all findings shall each sign the verdict.

These instructions are given you because your conduct is subject to review the same as that of the witnesses, parties, attorneys and the judge. If it should be found that you have disregarded any of these instructions, it will be jury misconduct and it may require another trial by another jury; then all of our time will have been wasted.

The presiding juror or any other who observes a violation of the court's instructions shall immediately warn the one who is violating the same and caution the juror not to do so again.

When words are used in this charge in a sense that varies from the meaning commonly understood, you are given a proper legal definition, which you are bound to accept in place of any other meaning.

Answer "Yes" or "No" to all questions unless otherwise instructed. A "Yes" answer must be based on a preponderance of the evidence *unless otherwise instructed*. If you do not find that a preponderance of the evidence supports a "Yes" answer, then answer "No." The term "preponderance of the evidence" means the greater weight and degree of credible evidence admitted in this case. Whenever a question requires an answer other than "Yes" or "No," your answer must be based on a preponderance of the evidence *unless otherwise instructed*.

After you retire to the jury room, you will select your own presiding juror. The first thing the presiding juror will do is to have this complete charge read aloud and then you will deliberate upon your answers to the questions asked.

It is the duty of the presiding juror:

1. to preside during your deliberations,
2. to see that your deliberations are conducted in an orderly manner and in accordance with the instructions in this charge,
3. to write out and hand to the bailiff any communications concerning the case that you desire to have delivered to the judge,

4. to vote on the questions,
5. to write your answers to the questions in the spaces provided, and
6. to certify to your verdict in the space provided for the presiding juror's signature or to obtain the signatures of all the jurors who agree with the verdict if your verdict is less than unanimous.

You should not discuss the case with anyone, not even with other members of the jury, unless all of you are present and assembled in the jury room. Should anyone attempt to talk to you about the case before the verdict is returned, whether at the courthouse, at your home, or elsewhere, please inform the judge of this fact.

When you have answered all the questions you are required to answer under the instructions of the judge and your presiding juror has placed your answers in the spaces provided and signed the verdict as presiding juror or obtained the signatures, you will inform the bailiff at the door of the jury room that you have reached a verdict, and then you will return into court with your verdict.

DIRECT AND CIRCUMSTANTIAL EVIDENCE

A fact may be established by direct evidence or by circumstantial evidence or both. A fact is established by direct evidence when proved by documentary evidence or by witnesses who saw the act done or heard the words spoken. A fact is established by circumstantial evidence when it may be fairly and reasonably inferred from other facts proved.

PROXIMATE CAUSE

"Proximate cause" means a cause that was a substantial factor in bringing about an occurrence or injury, and without which cause such occurrence or injury would not have occurred. In order to be a proximate cause, the act or omission complained of must be such that a person using ordinary care would have foreseen that the occurrence or injury, or some similar occurrence or injury, might reasonably result therefrom. There may be more than one proximate cause of an occurrence or injury.

QUESTION NO. 1 – Private Nuisance – Intentional or Negligent Conduct

Defendants D D Ramirez, Inc., Danny's Recycling & Precious Metals, LLC, and/or Danny's Recycling, Inc. located at 819, 914 and 925 Somerset Road creates a "private nuisance" if their conduct substantially interferes with Plaintiffs Texas Auto Salvage, Inc.'s, Gary Hack's, and/or Daniel Hack's use and enjoyment of their land.

"Substantial interference" means that Defendants' D D Ramirez, Inc., Danny's Recycling & Precious Metals, LLC, and/or Danny's Recycling, Inc. located at 819, 914 and 925 Somerset Road conduct must cause unreasonable discomfort or annoyance to a person of ordinary sensibilities attempting to use and enjoy the person's land. It is more than a slight inconvenience or petty annoyance.

"Intentionally" means that Defendants D D Ramirez, Inc., Danny's Recycling & Precious Metals, LLC, and/or Danny's Recycling, Inc. located at 819, 914 and 925 Somerset Road acted with intent with respect to the nature of their conduct or to a result of their conduct when it was their conscious objective or desire to engage in the conduct or the result.

"Negligently" means that Defendants D D Ramirez, Inc., Danny's Recycling & Precious Metals, LLC, and/or Danny's Recycling, Inc. located at 819, 914 and 925 Somerset Road failed to use ordinary care, that is, failed to do that which a person of ordinary prudence would have done under the same or similar circumstances or did that which a person of ordinary prudence would not have done under the same or similar circumstances.

"Ordinary care" means that degree of care that would be used by a person of ordinary prudence under the same or similar circumstances.

QUESTION:

Did any of the following Defendants intentionally or negligently create a private nuisance?

Answer "Yes" or "No" for each of the following Defendants:

a) D D Ramirez, Inc., located at 914 Somerset Road, San Antonio, Texas.

_____ NO

b) Danny's Recycling & Precious Metals, LLC located at 819 Somerset Road, San Antonio, Texas.

_____ NO

c) Danny's Recycling, Inc. ⁸²⁵⁻⁹²⁵ is located at 925 Somerset Road, San Antonio, Texas.

_____ NO

QUESTION NO. 2 – Public Nuisance – Dereliction of Duties

“Derelict” means the City of San Antonio and/or its employees failed to respond to their duties.

QUESTION:

Was the City of San Antonio and/or its employees derelict in their duties by not properly enforcing City of San Antonio Municipal Code Chapters 10 and 16 or by not bringing suit for a public nuisance as against Defendants D D Ramirez, Inc., Danny’s Recycling & Precious Metals, LLC, and Danny’s Recycling, Inc. located at 819, 914 and 925 Somerset Road?

Answer “Yes” or “No”: Yes

If you answered Question 2 “Yes,” then answer Question 3. Otherwise, do not answer Question 3.

QUESTION NO. 3 – Public Nuisance – Pursuant to Section 16-210.07 of Chapter 16 of the City of San Antonio Municipal Code

City of San Antonio Municipal Code Section 16-210.7(b): “Conditions maintained in violation of this division which impact public health, safety, or welfare, or which deprive neighbors of their safe or peaceful use of nearby properties shall be unlawful and shall be deemed a public nuisance.”

QUESTION:

Are any of the following Defendants a “public nuisance” as that term is defined by section 16-210.07(b) of the City of San Antonio Municipal Code, as set forth above?

Answer “Yes” or “No” for each of the following Defendants:

- a) D D Ramirez, Inc., located at 914 Somerset Road, San Antonio, Texas.

NO

- b) Danny’s Recycling & Precious Metals, LLC located at 819 Somerset Road, San Antonio, Texas.

Yes

- c) Danny’s Recycling, Inc. located at 925 Somerset Road, San Antonio, Texas.

Yes

If you answered Question 3 "Yes," then answer Question 4. Otherwise, do not answer Question 4.

QUESTION NO. 4 – Attorneys' Fees

What is a reasonable fee for the necessary services of The Powell Law Firm, attorneys in this case, stated in dollars and cents?

Consider the following factors in determining reasonable attorneys' fees:

1. The time and labor involved, the novelty of the questions involved, the skill required to perform the legal services properly;
2. the fee customarily charged in the locality for similar legal services;
3. the time limitations imposed by the client or the circumstances;
4. the amount involved and the results obtained; and
5. the experience, reputation, and ability of the lawyer or lawyers performing the services.

Answer an amount for each of the following:

- A. For preparation and trial

Answer: \$ 86,000

QUESTION NO. 5 - ARSON

Arson is defined as follows:

(a) A person commits an offense if the person starts a fire, regardless of whether the fire continues after ignition, or causes an explosion with intent to destroy or damage:

(1) any vegetation, fence, or structure on open-space land; or

(2) any building, habitation, or vehicle:

(A) knowing that it is within the limits of an incorporated city or town;

(B) knowing that it is located on property belonging to another;

(C) knowing that it has located within it property belonging to another; or

(D) when the person is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another.

Tex Penal Code Sec. 28.02. ARSON.

QUESTION:

Do you find that any of the following committed Arson related to the burning of the car crusher located at 925 Somerset Rd on or about July 21, 2011?

Answer "Yes" or "No."

Texas Auto Salvage Inc. or its agent NO

Daniel Hack or his agent NO

Gary Hack or his agent NO

If you have answered question number 5 "Yes", then answer question number 6; otherwise, do not answer question number 6. Answer question number 6 only as to those entities or persons you answered "Yes" to in question number 5.

QUESTION NO. 6

What sum of money, if any, paid now in cash would fairly and reasonably compensate Daniel Delagarza Ramirez for his damages, if any, that resulted from the Arson related to the burning of the car crusher located at 925 Somerset Road on or about July 21, 2011?

Answer in dollars and cents, if any, for the economic damages to the car crusher.

Answer: \$ n/a

Answer the following question No. 7, only if you unanimously answered "Yes" to Question No. 5 and answered with a dollar amount for Question No. 6. Otherwise, do not answer Question No. 7. Answer question number 7 only as to those entities or persons you answered "Yes" to in question number 5.

You are instructed that, in order to answer "Yes" to the following Question No. 7, your answer must be unanimous. You may answer "No" to the following Question No. 7 only upon a vote of ten or more jurors. Otherwise, you must not answer the following question.

QUESTION NO. 7:

"Clear and convincing evidence" means the measure or degree of proof that produces a firm belief or conviction of the truth of the allegations sought to be established.

"Malice" means: (a) a specific intent by Texas Auto Salvage Inc., Daniel Hack, and/or Gary Hack to cause substantial injury to Daniel Delagarza Ramirez; or (b) an act or omission by Texas Auto Salvage Inc., Daniel Hack, and/or Gary Hack (i) which, when viewed objectively from the standpoint of Daniel Delagarza Ramirez at the time of its occurrence, involved an extreme degree of risk, considering the probability and magnitude of the potential harm to others; and (ii) of which Texas Auto Salvage Inc., Daniel Hack, and/or Gary Hack had actual, subjective awareness of the risk involved, but nevertheless proceeded with conscious indifference to the rights, safety, or welfare of others.

QUESTION:

Do you find by clear and convincing evidence that the harm to Daniel Delagarza Ramirez resulted from malice on the part of any of the following?

Answer "Yes" or "No:"

Texas Auto Salvage Inc. or its agent n/a

Daniel Hack or his agent n/a

Gary Hack or his agent n/a

Answer the following question No. 8, only if you unanimously answered "Yes" to Question No. 7. Otherwise, do not answer Question No. 8. Answer question number 8 only as to those entities or persons you answered "Yes" to in question number 7.

You are instructed that, in order to answer with a dollar amount to the following Question No. 8, your answer must be unanimous.

QUESTION NO. 8:

"Exemplary damages" means an amount that you may in your discretion award as a penalty or by way of punishment.

QUESTION:

What sum of money, if any, if paid now in cash, should be assessed against any of the following and awarded to Daniel Delagarza Ramirez as exemplary damages, if any, for the conduct found in response to Question No. 5?

Factors to consider in awarding exemplary damages, if any, are:

- a. The nature of the wrong.
- b. The character of the conduct involved.
- c. The degree of culpability of Texas Auto Salvage, Inc. Gary Hack and/or Daniel Hack
- d. The situation and sensibilities of the parties concerned.
- e. The extent to which such conduct offends a public sense of justice and propriety.

Answer in dollars and cents, if any.

Answer: \$ n/a

If you have answered question number 9 "Yes", then answer question number 10; otherwise, do not answer question number 10. Answer question number 10 only as to those entities or persons you answered "Yes" to in question number 9.

QUESTION NO. 10

What sum of money, if any, paid now in cash would fairly and reasonably compensate Daniel Delagarza Ramirez for his damages, if any, that resulted from Invasion of Privacy committed by any of the following?

Answer in dollars and cents, if any.

A. Nominal Damages.

Answer: \$ n/a

B. Mental anguish sustained in the past by Daniel Delagarza Ramirez.

Answer: \$ n/a

C. Mental anguish that, in reasonable probability, Daniel Delagarza Ramirez, will sustain in the future.

Answer: \$ n/a

Answer the following question No. 11, only if you unanimously answered "Yes" to Question No. 9 and answered with a dollar amount for Question No. 10. Otherwise, do not answer Question No. 11. Answer question number 11 only as to those entities or persons you answered "Yes" to in question number 9.

You are instructed that, in order to answer "Yes" to the following Question No. 11, your answer must be unanimous. You may answer "No" to the following Question No. 11 only upon a vote of ten or more jurors. Otherwise, you must not answer the following question.

QUESTION NO. 11:

"Clear and convincing evidence" means the measure or degree of proof that produces a firm belief or conviction of the truth of the allegations sought to be established.

"Malice" means: (a) a specific intent by Texas Auto Salvage Inc., Daniel Hack, and/or Gary Hack to cause substantial injury to Daniel Delagarza Ramirez; or (b) an act or omission by Texas Auto Salvage Inc., Daniel Hack, and/or Gary Hack (i) which, when viewed objectively from the standpoint of Texas Auto Salvage Inc., Daniel Hack, and/or Gary Hack at the time of its occurrence, involved an extreme degree of risk, considering the probability and magnitude of the potential harm to others; and (ii) of which Texas Auto Salvage Inc., Daniel Hack, and/or Gary Hack had actual, subjective awareness of the risk involved, but nevertheless proceeded with conscious indifference to the rights, safety, or welfare of others.

QUESTION:

Do you find by clear and convincing evidence that the harm to Daniel Delagarza Ramirez resulted from malice on the part of any of the following?

Answer "Yes" or "No:"

Texas Auto Salvage Inc. or its agent

n/a

Daniel Hack or his agent

n/a

Gary Hack or his agent

n/a

Answer the following question No. 12, only if you unanimously answered "Yes" to Question No. 11. Otherwise, do not answer Question No. 12.

You are instructed that, in order to answer with a dollar amount to the following Question No. 12, your answer must be unanimous.

QUESTION NO. 12:

"Exemplary damages" means an amount that you may in your discretion award as a penalty or by way of punishment.

QUESTION:

What sum of money, if any, if paid now in cash, should be assessed against any of the following and awarded to Daniel Delagarza Ramirez as exemplary damages, if any, for the conduct found in response to Question No. 9?

Factors to consider in awarding exemplary damages, if any, are:

- a. The nature of the wrong.
- b. The character of the conduct involved.
- c. The degree of culpability of Texas Auto Salvage, Inc., Gary Hack and Daniel Hack
- d. The situation and sensibilities of the parties concerned.
- e. The extent to which such conduct offends a public sense of justice and propriety.

Answer in dollars and cents, if any.

Answer: \$ n/a

If you answer "No" to question 3, answer questions 13 and 14. Otherwise do not answer questions 13 and 14.

QUESTION NO. 13 – Attorneys' Fees

What is a reasonable fee for the necessary services of Robert Garza, attorney, in this case, stated in dollars and cents?

Consider the following factors in determining reasonable attorneys' fees:

1. The time and labor involved, the novelty of the questions involved, the skill required to perform the legal services properly;
2. the fee customarily charged in the locality for similar legal services;
3. the time limitations imposed by the client or the circumstances;
4. the amount involved and the results obtained; and
5. the experience, reputation, and ability of the lawyer or lawyers performing the services.

Answer an amount for each of the following:

A. For preparation and trial

Answer: \$ n/a

QUESTION NO. 14 – Attorneys' Fees

What is a reasonable fee for the necessary services of Gregory T. Van Cleave, attorney, in this case, stated in dollars and cents?

Consider the following factors in determining reasonable attorneys' fees:

1. The time and labor involved, the novelty of the questions involved, the skill required to perform the legal services properly;
2. the fee customarily charged in the locality for similar legal services;
3. the time limitations imposed by the client or the circumstances;
4. the amount involved and the results obtained; and
5. the experience, reputation, and ability of the lawyer or lawyers performing the services.

Answer an amount for each of the following:

A. For preparation and trial

Answer: \$ n/a

Presiding Juror

1. When you go into the jury room to answer the questions, the first thing you will need to do is choose a presiding juror.
2. The presiding juror has these duties:
 - a. Have the complete charge read aloud if it will be helpful to your deliberations;
 - b. preside over your deliberations, meaning manage the discussions, and see that you follow these instructions;
 - c. give written questions or comments to the bailiff who will give them to the judge;
 - d. write down the answers you agree on;
 - e. get the signatures for the verdict certificate; and
 - f. notify the bailiff that you have reached a verdict.

Instructions for Signing the Verdict Certificate

1. Unless otherwise instructed, you may answer the questions on a vote of ten jurors. The same ten jurors must agree on every answer in the charge. This means you may not have one group of ten jurors agree on one answer and different group of ten jurors agree on another answer.
2. If ten jurors agree on every answer, those ten jurors sign the verdict. If eleven jurors agree on every answer, those eleven jurors sign the verdict. If all twelve of you agree on every answer, you are unanimous and only the presiding juror signs the verdict.
3. All jurors should deliberate every question. You may end up with all twelve of you agreeing on some answers, while only ten of you agree on other answers. But when you sign the verdict, only those ten who agree on every answer will sign the verdict.
4. There are some special instructions before questions 5, 7, 8, 9, 11 and 12 explaining how to answer those questions. Please follow the instructions. If all twelve of you answer those questions, you will need to complete a second verdict certificate for those questions.

Do you understand these instructions? If you do not, please tell me now.


JUDGE PRESIDING

Verdict Certificate

Check one:

_____ Our verdict is unanimous. All twelve of us have agreed on each and every answer. The presiding juror has signed the certificate for all of us.

(To be signed by the presiding juror if the jury is unanimous.)



PRESIDING JUROR

Misty M Trevino

Printed Name of Presiding Juror

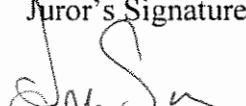
_____ Our verdict is not unanimous. Eleven of us have agreed to each and every answer and have signed the certificate below.

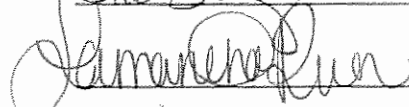
☒ Our verdict is not unanimous. Ten of us have agreed to each and every answer and have signed the certificate below.

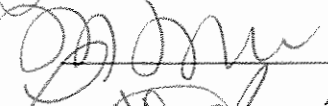
(To be signed by those rendering the verdict if the jury is not unanimous.)


Juror's Signatures


Juror's Printed Names




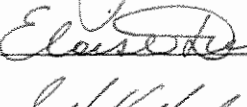


















Jesse Suarez

Samantha Rush

Misty M Trevino

Lisa Martinez

Oskar Aguilar

Dominador Paulina

Johnny Flores

Eloise Dunlop

Seth Ketterling

Melvin R. Brown

Gabriel Breauux

If you have answered Question No. ^{now 5} 7, 8, 11 and 12, then you must sign this certificate also.

Additional Certificate

I certify that the jury was unanimous in answering the following questions. All 12 of us agreed to each of the answers. The presiding juror has signed the certificate for all 12 of us. Please place a check mark below for the questions that were answered unanimously by the jury.

_____ Question 5

_____ Question 7

_____ Question 8

_____ Question 9

_____ Question 11

_____ Question 12

PRESIDING JUROR

Printed Name of Presiding Juror

BY
Melvin R. Brown

DEPUTY

18 NOV -5 PM 2:41

CONNA KAY KINNEY
DISTRICT CLERK
BEXAR COUNTY



37th Judicial District Court

MICHAEL E. MERY
Judge

BEXAR COUNTY COURTHOUSE
San Antonio, Texas 78205
(210) 335-2515

JURY QUESTION

I have been appointed
presiding juror.

Misty M Trevino

Michael E. Mery

BY

DEPUTY

18 NOV -2 PM 1:34

DEANNA J. HENNING
DISTRICT CLERK
BEXAR COUNTY

Misty M Trevino 11/2/18

PRESIDING JUROR

DATE



37th Judicial District Court

MICHAEL E. MERY
Judge

BEXAR COUNTY COURTHOUSE
San Antonio, Texas 78205
(210) 335-2515

JURY QUESTION

3 pm break

DOMINIC J. JENNINNEY
DISTRICT CLERK
18 NOV - 2 PM 1:34
BY
DEPUTY

Misty Trenn 11/21/18

PRESIDING JUROR DATE

Misty Trenn



37th Judicial District Court

MICHAEL E. MERY
Judge

BEXAR COUNTY COURTHOUSE
San Antonio, Texas 78205
(210) 335-2515

JURY QUESTION

Do we have a name the same

as the one on all 14

questions?

For example, question 3 has 3 parts

Do we all have to agree on all 3

answers?

what happens if we almost agree on all 14

11/5/18, 11:31 AM

PRESIDING JUROR

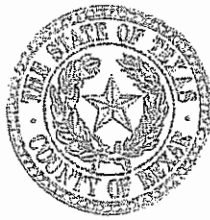
DATE

DOWNA KAY MCKINNEY
DISTRICT CLERK
BEXAR COUNTY

18 NOV -5 PM 1:31

DEPUTY

BY *[Signature]*



37th Judicial District Court

MICHAEL E. MERY
Judge

BEXAR COUNTY COURTHOUSE
San Antonio, Texas 78205
(210) 335-2515

JURY QUESTION

What is the question?

Is the defendant guilty of the crime charged?

Do you believe the evidence is sufficient to prove the defendant guilty beyond a reasonable doubt?

TERESA KINNEY
DISTRICT CLERK
BEXAR COUNTY

18 NOV -5 PM 1:48

DEPUTY

Michael E. Mery

Michael E. Mery

PRESIDING JUROR DATE



37th Judicial District Court

MICHAEL E. MERY
Judge

BEXAR COUNTY COURTHOUSE
San Antonio, Texas 78205
(210) 335-2515

JURY QUESTION

Case No. 14-100000-00000

vs. State of Texas

BY *Michael E. Mery*

DEPUTY

18 NOV -5 PM 2:32

CONSTITUTIONAL
DISTRICT CLERK
BEXAR COUNTY

1. State of Texas vs. [illegible]

PRESIDING JUROR

DATE

Exhibit “B”

PLAINTIFF'S COURT COSTS
2010-2018

2/16/2010	Plaintiff's filing fees	\$288.00
7/26/2011	Atg	\$5.00
10/23/2013	3 Cits	\$24.00
11/26/2014	Filing fee	\$2.00
3/11/2015	Filing fee	\$2.00
7/27/2015	Filing fee	\$2.00
8/6/2015	Filing fee	\$2.00
8/14/2016	Filing fee	\$2.00
10/8/2015	Filing fee	\$2.00
11/4/2015	Filing fee	\$2.00
11/17/2015	Filing fee	\$2.00
12/18/2005	Filing fee	\$2.00
12/18/2005	Filing fee	\$2.00
12/23/2005	Filing fee	\$2.00
1/28/2016	Filing fee	\$2.00
5/12/2016	Filing fee	\$2.00
5/26/2016	Filing fee	\$2.00
8/4/2016	Filing fee	\$2.00
1/24/2017	Filing fee	\$2.00
1/24/2017	Filing fee	\$2.00
1/24/2017	Filing fee	\$2.00
1/26/2017	Filing fee	\$2.00
1/27/2017	Filing fee	\$2.00
2/3/2017	Filing fee	\$2.00
2/3/2017	Filing fee	\$2.00
2/3/2017	Filing fee	\$2.00
2/6/2017	Filing fee	\$2.00
2/8/2016	Filing fee	\$2.00
2/8/2017	Filing fee	\$2.00
2/9/2017	Filing fee	\$2.00
2/14/2017	Filing fee	\$2.00
2/17/2017	Filing fee	\$2.00
2/17/2017	Filing fee	\$2.00
2/17/2017	Filing fee	\$2.00
2/24/2017	Filing fee	\$2.00
2/24/2017	Filing fee	\$2.00
3/1/2017	Filing fee	\$2.00
3/1/2017	Filing fee	\$2.00
3/1/2017	Filing fee	\$2.00
4/7/2017	Filing fee	\$2.00
4/24/2017	Filing fee	\$2.00
4/21/2017	Filing fee	\$2.00

PLAINTIFF'S COURT COSTS

2010-2018

4/21/2017	Filing fee	\$2.00
5/15/2017	Filing fee	\$2.00
5/15/2017	Filing fee	\$2.00
5/15/2017	Filing fee	\$2.00
5/22/2017	Filing fee	\$2.00
5/22/2017	Filing fee	\$2.00
5/31/2017	Filing fee	\$2.00
5/31/2017	Filing fee	\$2.00
7/5/2017	Filing fee	\$2.00
7/5/2017	Filing fee	\$2.00
8/24/2017	Filing fee	\$3.00
9/6/2017	Filing fee	\$2.00
9/22/2017	Filing fee	\$2.00
9/25/2017	Filing fee	\$2.00
10/2/2017	Filing fee	\$2.00
10/13/2017	Filing fee	\$2.00
11/21/2017	Filing fee	\$2.00
11/21/2017	Filing fee	\$2.00
11/21/2017	Filing fee	\$2.00
1/10/2018	Filing fee	\$2.00
8/3/2018	Filing fee	\$2.00
8/23/2018	Filing fee	\$2.00
9/15/2018	Filing fee	\$2.00
9/14/2018	Filing fee	\$2.00
10/5/2018	Filing fee	\$2.00
10/5/2018	Filing fee	\$2.00
10/5/2018	Filing fee	\$2.00
10/5/2018	Filing fee	\$3.00
10/10/2018	Filing fee	\$2.00
10/12/2018	Filing fee	\$2.00
10/12/2018	Filing fee	\$2.00
11/7/2018	Copies	\$30.00
11/8/2018	Filing fee	\$2.00
12/4/2018	Copies	\$37.00
12/11/2018	Filing fee	\$2.00
12/13/2018	Filing fee	\$2.00
	TOTAL FILING FEES	\$532.00

Deposition Costs

8/13/2010	Juan Ramirez	\$1,030.00
12/19/2010	Carlos Gonzales	\$744.70
5/31/2011	Raul Tamez	\$533.50
5/31/2011	Pedro Daniel Ramirez	\$1,159.40
5/31/2011	Raul Tamez	\$1,030.00
7/8/2011	Annette Rodriguez	\$518.83

PLAINTIFF'S COURT COSTS

2010-2018

7/8/2011	Martin Miller	\$667.50
7/8/2011	Eliza Valdez	\$1,053.40
8/22/2011	Daniel Delagarza Ramirez	\$1,157.30
11/30/2011	Rhonda Reza	\$1,842.40
1/18/2012	Martin Ruiz	\$1,096.40
5/7/2012	Roberto Reyes	\$361.00
5/1/2012	Roderick Sanchez	\$586.00
1/21/2013	Vincent Fasone	\$738.30
	Angelica Overton	\$355.10
3/18/2013	Daniel Morones	\$334.60
3/18/2013	Edward Perez	\$533.50
3/8/2013	Christopher Torres	\$582.40
3/15/2013	Ernest Gonzalez	\$645.70
1/27/2015	Jesse Alaniz	\$286.70
9/9/2015	Jesse Alaniz	\$947.30
1/8/2016	Pedro Cantu	\$0.00
6/20/2012	Moises Zuniga	\$885.80
12/11/2015	Eric Wilhite	\$792.30
7/7/2016	Daniel Ramirez	\$2,184.60
7/7/2016	Justin Mercado	\$387.90
6/2/2017	Roderick Sanchez	\$1,011.75
	Joseph Bernal	\$1,750.90
3/24/2016	Fernando Carmona	\$463.50
6/15/2017	Joseph Bernal	\$482.50
1/18/2012	Sylvia Cortez	\$441.50
4/2/2012	Donna Lee	\$162.50
	Marc Castro	\$964.00
7/17/2012	Loy Wong	\$463.20
1/7/2015	Tracy Powers	\$519.00
	Clyde Bailey	\$549.60
	Merlin Polasek	\$378.40
8/16/2016	Martin Miller	\$906.70
8/19/2016	Robert Stevens	\$1,009.60
12/13/2017	Jay Govan	\$983.10
	Carlos Uresti	\$1,178.70
	Patrick Shannon	\$1,392.25
9/27/2018	Stephen Forbes, Ph.D	\$1,927.50
	TOTAL DEPOS	\$35,039.33
	TOTAL VIDEO DEPOS	\$9,194.65
	TOTAL FILING FEES	\$532.00
	TOTAL FEES AND DEPO COSTS	\$44,765.98

DATE: 11/07/18
RUN TIME: 16:15:28.2

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CHOCHP1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
02-16-2010	RECP	2572096	0	288.00	32831	0			131
FROM: JON POWELL								PMT METHOD: CK CHECK	
TO:								PMT BY CODE:	
SERVICE: 1000									
CHECK/MO NUMBER: 002020 DATE: 02-15-2010									
CIV LEG SV	0.50	INSTR	COUNT 1	JUDICIAL F	40.00	INSTR	COUNT: 1		
CIV LEG SV	9.50	INSTR	COUNT 1	DISPUTE RE	15.00	INSTR	COUNT: 1		
LAW LIB	15.00	INSTR	COUNT 1	RECORDS	5.00	INSTR	COUNT: 1		
STENOGRAPH	15.00	INSTR	COUNT 1	SECURITY	5.00	INSTR	COUNT: 1		
APP JUD SV	5.00	INSTR	COUNT 1	CLERK	50.00	INSTR	COUNT: 1		
DC RECORDS	5.00	INSTR	COUNT 1	JSF2	42.00	INSTR	COUNT: 1		
CONSLD FEE	9.50	INSTR	COUNT 1	CONSLD FEE	0.50	INSTR	COUNT: 1		
DCTECH FEE	5.00	INSTR	COUNT 1	CH-RENOVAT	15.00	INSTR	COUNT: 1		
RECPRESERV	5.00	INSTR	COUNT 1	CLERK	16.00	INSTR	COUNT: 2		
JURYFEE	20.00	INSTR	COUNT 1	JURY	10.00	INSTR	COUNT: 1		
COMMENTS: 2 CITS/PPS W/JURY DEMAND 2									
05-24-2010	RECP	2615941	0	15.75	34547	0			131
FROM: ALBERT W. VAN CLEAVE								PMT METHOD: CK CHECK	
TO:								PMT BY CODE:	
SERVICE: 1034									
CHECK/MO NUMBER: 1891 DATE: 05-21-2010									
COPIES	15.75	INSTR	COUNT 1						
COMMENTS: PP									
07-27-2010	RECP	2641842	0	40.00	32073	0			131
FROM: THE LAW OFFICES OF ALBERT W VAN CLEAVE								PMT METHOD: CK CHECK	
TO:								PMT BY CODE:	
SERVICE: 1021									
CHECK/MO NUMBER: 1948 DATE: 07-25-2010									
CIV LEG SV	0.50	INSTR	COUNT 1	CLERK	15.00	INSTR	COUNT: 1		
CIV LEG SV	9.50	INSTR	COUNT 1	RECORDS	5.00	INSTR	COUNT: 1		
DC RECORDS	5.00	INSTR	COUNT 1	DCTECH FEE	5.00	INSTR	COUNT: 1		
COMMENTS: COUNTER CLAIM									

DATE: 11/07/18
RUN TIME: 16:15:28.2

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CHOCHE1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
03-14-2011	RECP	2731672	0	8.00	32485	0			131
FROM: ALBERT W VAN CLEAVE III									
TO:									
SERVICE: 1013									
CHECK/MO NUMBER: 2169 DATE: 03-14-2011									
CLERK 8.00 INSTR COUNT 1									
COMMENTS: SUBP PPS 2									
PMT METHOD: CK CHECK									
PMT BY CODE:									
04-18-2011	RECP	2745465	0	2.00	32611	0			131
FROM: WAYNE R MATHIS									
TO:									
SERVICE: 1005									
TRANSMITTAL 2.00 INSTR COUNT 1									
COMMENTS:									
PMT METHOD: EM CHECK									
PMT BY CODE:									
04-27-2011	RECP	2748991	0	6.00	32726	0			131
FROM: WAYNE R MATHIS									
TO:									
SERVICE: 1034									
CERTIFY 6.00 INSTR COUNT 1									
COMMENTS: AP									
PMT METHOD: DC CHECK									
PMT BY CODE:									
06-03-2011	RECP	2762892	0	3.00	35054	0			131
FROM: ALBERT VAN CLEAVE									
TO:									
SERVICE: 1034									
CERTIFY 3.00 INSTR COUNT 1									
COMMENTS: GR									
PMT METHOD: CS CHECK									
PMT BY CODE:									
06-28-2011	RECP	2772505	0	5.00	35054	0			131
FROM: KARAN RICHARD									
TO:									
SERVICE: 1034									
CERTIFY 5.00 INSTR COUNT 1									
COMMENTS: MAB									
PMT METHOD: CS CHECK									
PMT BY CODE:									

DATE: 11/07/18
RUN TIME: 16:15:28.2

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CHOCHPI

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
07-26-2011	RECP	2782646	0	5.00	35027	0			131
FROM: TEXAS AUTO SALVAGE									
TO:									
SERVICE: 1034									
COPIES 5.00 INSTR COUNT 1									
COMMENTS: ATG									
PMT METHOD: CS CHECK									
PMT BY CODE:									
09-01-2011	RECP	2796358	0	8.00	32485	0			131
FROM: JERRY POTTER									
TO:									
SERVICE: 1013									
CLERK 8.00 INSTR COUNT 1									
COMMENTS: SUBP DT PPS 3									
PMT METHOD: CS CHECK									
PMT BY CODE:									
10-23-2013	RECP	3106916	0	24.00	17911	0			131
FROM: THE POWELL LAW FIRM									
TO:									
SERVICE: 1005									
CHECK/NO NUMBER: 005011 DATE: 10-23-2013									
CLERK 24.00 INSTR COUNT 3									
COMMENTS: 3 CITS PPS 3									
PMT METHOD: CK CHECK									
PMT BY CODE:									
11-20-2013	RECP	3116907	0	2.00	36046	0			131
FROM: MICHAEL D HUDLOW JR									
TO:									
SERVICE: 1005									
TRANSMITTAL 2.00 INSTR COUNT 1									
COMMENTS:									
PMT METHOD: EM CHECK									
PMT BY CODE:									
11-26-2014	RECP	3296988	0	2.00	37227	0			131
FROM: JON									
TO:									
SERVICE: 1079									
E-FILE-SYS 2.00 INSTR COUNT 1									
COMMENTS:									
PMT METHOD: EF CHECK									
PMT BY CODE:									

DATE: 11/07/18
RUN TIME: 16:15:28.3

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CROCHF1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
03-11-2015	RECP	3348175	0	2.00	35969	0			131
FROM: KOOLE COURT REPORTING								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
07-23-2015	RECP	3421409	0	2.00	38001	0			131
FROM: VANCLEAVE								PMT METHOD: CS CHECK	
TO:								PMT BY CODE:	
SERVICE: 1034									
COPIES		2.00	INSTR COUNT 1						
COMMENTS: LE									
07-27-2015	RECP	3422817	0	2.00	36203	0			131
FROM: JON POWELL PLLC								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
07-27-2015	RECP	3423050	0	2.00	36203	0			131
FROM: ALBERT W VANCLEAVE III								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
07-27-2015	RECP	3423051	0	2.00	36203	0			131
FROM: ALBERT W VANCLEAVE III								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									

DATE: 11/07/16
RUN TIME: 16:15:28.3

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CHOCF1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
07-29-2015	RECF	3424554	0	2.00	36203	0			131
FROM: ALBERT W VANCLEAVE III						PMT METHOD: EF CHECK			
TO:						PMT BY CODE:			
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
08-06-2015	RECF	3429381	0	2.00	36203	0			131
FROM: KOOLE COURT REPORTERS						PMT METHOD: EF CHECK			
TO:						PMT BY CODE:			
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
08-14-2015	RECF	3434498	0	2.00	36203	0			131
FROM: JON POWELL PLLC						PMT METHOD: EF CHECK			
TO:						PMT BY CODE:			
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
10-08-2015	RECF	3466385	0	2.00	36203	0			131
FROM: JON POWELL PLLC						PMT METHOD: EF CHECK			
TO:						PMT BY CODE:			
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
11-04-2015	RECF	3480576	0	2.00	36203	0			131
FROM: JON POWELL PLLC						PMT METHOD: EF CHECK			
TO:						PMT BY CODE:			
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									

DATE: 11/07/18
RUN TIME: 16:15:28.3

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CID2500

PAGE: 0
PGM: CHOCHP1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
11-17-2015	RECP	3487941	0	2.00	36203	0			131
FROM: JON POWELL PLLC								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
11-19-2015	RECP	3489165	0	2.00	36203	0			131
FROM: ALBERT W VANCLEAVE I II								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
11-30-2015	RECP	3492958	0	2.00	36203	0			131
FROM: ALBERT W VANCLEAVE I II								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
11-30-2015	RECP	3492959	0	2.00	36203	0			131
FROM: ALBERT W VANCLEAVE I II								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
12-11-2015	RECP	3500125	0	59.00	36239	0			131
FROM: VAN CLEAVE								PMT METHOD: CS CHECK	
TO:								PMT BY CODE:	
SERVICE: 1034									
COPIES		41.00	INSTR COUNT 1	CERTIFY				18.00 INSTR COUNT: 1	
COMMENTS: BT									

DATE: 11/07/18
RUN TIME: 16:15:28.3

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CNOCHP1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
12-16-2015	RECP	3501741	0	2.00	36203	0			131
FROM: ALBERT W VANCLEAVE III								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS		2.00 INSTR COUNT 1							
COMMENTS:									
12-18-2015	RECP	3503198	0	2.00	36203	0			131
FROM: ALBERT W VANCLEAVE III								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS		2.00 INSTR COUNT 1							
COMMENTS:									
12-18-2015	RECP	3503349	0	2.00	36203	0			131
FROM: JON POWELL PLLC								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS		2.00 INSTR COUNT 1							
COMMENTS:									
12-18-2015	RECP	3503358	0	2.00	36203	0			131
FROM: JON POWELL PLLC								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS		2.00 INSTR COUNT 1							
COMMENTS:									
12-21-2015	RECP	3504622	0	2.00	35634	0			131
FROM: ALBERT W VANCLEAVE III								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS		2.00 INSTR COUNT 1							
COMMENTS:									

DATE: 11/07/18
RUN TIME: 16:15:28.3

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CHOCHP1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
12-23-2015	RECP	3506271	0	2.00	35634	0			131
FROM: JON POWELL				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00 INSTR COUNT 1							
COMMENTS:									
01-28-2016	RECP	3524018	0	2.00	36203	0			131
FROM: KOOLE COURT REPORTER S				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00 INSTR COUNT 1							
COMMENTS:									
05-12-2016	RECP	3587324	0	2.00	36203	0			131
FROM: TAMMY HARRIS				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00 INSTR COUNT 1							
COMMENTS:									
05-26-2016	RECP	3595177	0	2.00	13968	0			131
FROM: KOOLE COURT REPORTERS OF TEXAS				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00 INSTR COUNT 1							
COMMENTS:									
06-20-2016	RECP	3511651	0	41.00	35450	0			131
FROM: GREG VANCLEAVE				PMT METHOD: CS CHECK					
TO:				PMT BY CODE:					
SERVICE: 1034									
COPIES		41.00 INSTR COUNT 1							
COMMENTS: KC									

DATE: 11/07/18
RUN TIME: 16:15:28.3

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CHOCHP1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
08-03-2016	RECP	3536833	0	2.00	13968	0			131
FROM: ALBERT W VANCLEAVE III				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									
08-04-2016	RECP	3637424	0	2.00	13968	0			131
FROM: JON POWELL PLLC				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									
09-08-2016	RECP	3657626	0	2.00	37227	0			131
FROM: ALBERT W VANCLEAVE I II				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									
01-24-2017	RECP	3736309	0	2.00	36203	0			131
FROM: JON POWELL PLLC				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									
01-24-2017	RECP	3736976	0	2.00	36263	0			131
FROM: JON POWELL PLLC				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									

DATE: 11/07/18
RUN TIME: 16:15:28.3

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CHOCBP1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
01-24-2017	RECP	3736980	0	2.00	36263	0			131
FROM: JON POWELL PLLC				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									
01-26-2017	RECP	3738704	0	2.00	36203	0			131
FROM: ALBERT W VANCLEAVE I II				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									
01-26-2017	RECP	3739390	0	2.00	36203	0			131
FROM: JON POWELL PLLC				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									
01-27-2017	RECP	3739885	0	2.00	36203	0			131
FROM: ALBERT W VANCLEAVE I II				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									
02-03-2017	RECP	3744103	0	2.00	36263	0			131
FROM: JON POWELL				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									

DATE: 11/07/18
RUN TIME: 16:15:28.3

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CT02500

PAGE: 0
PGM: CHOCBP1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
02-03-2017	RECP	3744499	0	2.00	36203	0			131
FROM: JON POWELL PLLC				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									
02-03-2017	RECP	3744561	0	2.00	36203	0			131
FROM: JON POWELL PLLC				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									
02-03-2017	RECP	3744856	0	2.00	36203	0			131
FROM: ALBERT W VANCLEAVE I II				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									
02-06-2017	RECP	3745344	0	2.00	36263	0			131
FROM: JULIE CASTILLO				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									
02-06-2017	RECP	3745498	0	2.00	36263	0			131
FROM: ALBERT W VANCLEAVE I II				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									

DATE: 11/07/18
RUN TIME: 16:15:28.3

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CHOCHP1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
02-06-2017	RECP	3745499	0	2.00	36263	0			131
FROM: ALBERT W VANCLEAVE I II				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR COUNT 1				
COMMENTS:									
02-08-2017	RECP	3748139	0	2.00	36263	0			131
FROM: JON POWELL				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR COUNT 1				
COMMENTS:									
02-08-2017	RECP	3748601	0	2.00	36263	0			131
FROM: JON POWELL				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR COUNT 1				
COMMENTS:									
02-09-2017	RECP	3749204	0	2.00	36263	0			131
FROM: JON POWELL				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR COUNT 1				
COMMENTS:									
02-09-2017	RECP	3749602	0	2.00	36263	0			131
FROM: ALBERT W VANCLEAVE III				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR COUNT 1				
COMMENTS:									

DATE: 11/07/18
RUN TIME: 16:15:28.3

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CBOCHP1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
02-14-2017	RECP	3752335	0	2.00	36263	0			131
FROM: JON POWELL								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR	COUNT	1		
COMMENTS:									
02-15-2017	RECP	3752859	0	2.00	36263	0			131
FROM: ALBERT W VANCELEAVE I II								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR	COUNT	1		
COMMENTS:									
02-16-2017	RECP	3754038	0	2.00	36263	0			131
FROM: ALBERT W VANCELEAVE I II								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR	COUNT	1		
COMMENTS:									
02-16-2017	RECP	3754046	0	2.00	36263	0			131
FROM: ALBERT W VANCELEAVE I II								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR	COUNT	1		
COMMENTS:									
02-17-2017	RECP	3754894	0	2.00	36263	0			131
FROM: JON POWELL								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR	COUNT	1		
COMMENTS:									

DATE: 11/07/18
RUN TIME: 16:15:28.3

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CHOCBP1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
02-17-2017	RECP	3755359	0	2.00	36263	0			131
FROM: JON POWELL				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR COUNT 1				
COMMENTS:									
02-17-2017	RECP	3755361	0	2.00	36263	0			131
FROM: JON POWELL				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR COUNT 1				
COMMENTS:									
02-17-2017	RECP	3755362	0	2.00	36263	0			131
FROM: JON POWELL				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR COUNT 1				
COMMENTS:									
02-21-2017	RECP	3755956	0	284.00	38795	0			131
FROM: GREGORY T VAN CLEAVE				PMT METHOD: VS CHECK					
TO:				PMT BY CODE:					
SERVICE: 1034									
COPIES				284.00	INSTR COUNT 1				
COMMENTS: RDB									
02-23-2017	RECP	3758187	0	2.00	36263	0			131
FROM: ALBERT W VANCLEAVE I II				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR COUNT 1				
COMMENTS:									

DATE: 11/07/18
RUN TIME: 16:15:28.4

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CHOCHP1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMEL	ADJUST	ADJ	DATE	COURT
02-24-2017	RECP	3758910	0	2.00	36263	0			131
FROM: ALBERT W VANCLEAVE I II								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									
02-24-2017	RECP	3759370	0	2.00	36263	0			131
FROM: JULIE CASTILLO								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									
02-24-2017	RECP	3759855	0	2.00	36263	0			131
FROM: JON POWELL								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									
02-24-2017	RECP	3759864	0	2.00	36263	0			131
FROM: ALBERT W VANCLEAVE I II								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									
02-24-2017	RECP	3759868	0	2.00	36263	0			131
FROM: ALBERT W VANCLEAVE I II								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS				2.00 INSTR COUNT 1					
COMMENTS:									

DATE: 11/07/18
RUN TIME: 16:15:28.4

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CID2500

PAGE: 0
PGM: CHOCMP1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ DATE	COUNT
03-01-2017	RECP	3763419	0	2.00	36263	0		131
FROM: JON POWELL						PMT METHOD: EF CHECK		
TO:						PMT BY CODE:		
SERVICE: 1079								
E-FILE-SYS				2.00	INSTR COUNT 1			
COMMENTS:								
03-01-2017	RECP	3763452	0	2.00	36263	0		131
FROM: JON POWELL						PMT METHOD: EF CHECK		
TO:						PMT BY CODE:		
SERVICE: 1079								
E-FILE-SYS				2.00	INSTR COUNT 1			
COMMENTS:								
03-01-2017	RECP	3763545	0	2.00	36263	0		131
FROM: JON POWELL						PMT METHOD: EF CHECK		
TO:						PMT BY CODE:		
SERVICE: 1079								
E-FILE-SYS				2.00	INSTR COUNT 1			
COMMENTS:								
03-15-2017	RECP	3772865	0	2.00	17395	0		131
FROM: ALBERT W VANCELEAVE I II						PMT METHOD: EF CHECK		
TO:						PMT BY CODE:		
SERVICE: 1079								
E-FILE-SYS				2.00	INSTR COUNT 1			
COMMENTS:								
04-07-2017	RECP	3789742	0	2.00	17395	0		131
FROM: JON POWELL PLLC						PMT METHOD: EF CHECK		
TO:						PMT BY CODE:		
SERVICE: 1079								
E-FILE-SYS				2.00	INSTR COUNT 1			
COMMENTS:								

DATE: 11/07/18
RUN TIME: 16:15:28.4

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CHOCF1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
04-21-2017	RECP	3798488	0	2.00	17395	0			131
FROM: JON POWELL PLLC				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00 INSTR COUNT 1							
COMMENTS:									
04-21-2017	RECP	3798526	0	2.00	17395	0			131
FROM: JON POWELL PLLC				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00 INSTR COUNT 1							
COMMENTS:									
04-21-2017	RECP	3798542	0	2.00	17395	0			131
FROM: JON POWELL PLLC				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00 INSTR COUNT 1							
COMMENTS:									
05-10-2017	RECP	3809164	0	2.00	17395	0			131
FROM: ALBERT W VANCLEAVE I II				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00 INSTR COUNT 1							
COMMENTS:									
05-15-2017	RECP	3812393	0	2.00	17395	0			131
FROM: JON POWELL PLLC				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00 INSTR COUNT 1							
COMMENTS:									

DATE: 11/07/18
RUN TIME: 16:15:28.4

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CROCHF1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
05-15-2017	RECP	3812396	0	2.00	17395	0			131
FROM: JON POWELL PLLC				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00 INSTR COUNT 1							
COMMENTS:									
05-15-2017	RECP	3812399	0	2.00	17395	0			131
FROM: JON POWELL PLLC				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00 INSTR COUNT 1							
COMMENTS:									
05-15-2017	RECP	3812469	0	2.00	17395	0			131
FROM: ALBERT W VANCLEAVE I II				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00 INSTR COUNT 1							
COMMENTS:									
05-22-2017	RECP	3818992	0	2.00	17395	0			131
FROM: JON POWELL PLLC				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00 INSTR COUNT 1							
COMMENTS:									
05-22-2017	RECP	3818995	0	2.00	17395	0			131
FROM: JON POWELL PLLC				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00 INSTR COUNT 1							
COMMENTS:									

DATE: 11/07/18
RUN TIME: 16:15:28.4

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CHOCPL1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
05-31-2017	RECP	3824845	0	2.00	17395	0			131
FROM: JON POWELL									
TO:									
SERVICE: 1079									
E-FILE-SYS 2.00 INSTR COUNT 1									
COMMENTS:									
PMT METHOD: EF CHECK									
PMT BY CODE:									
05-31-2017	RECP	3824848	0	2.00	17395	0			131
FROM: JON POWELL									
TO:									
SERVICE: 1079									
E-FILE-SYS 2.00 INSTR COUNT 1									
COMMENTS:									
PMT METHOD: EF CHECK									
PMT BY CODE:									
06-23-2017	RECP	3844953	0	52.00	35450	0			131
FROM: ROBERT GARZA									
TO:									
SERVICE: 1034									
CHECK/NO NUMBER: 001765 DATE: 06-23-2017									
COPIES 52.00 INSTR COUNT 1									
COMMENTS: CR									
PMT METHOD: CK CHECK									
PMT BY CODE:									
07-05-2017	RECP	3852771	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO									
TO:									
SERVICE: 1079									
E-FILE-SYS 2.00 INSTR COUNT 1									
COMMENTS:									
PMT METHOD: EF CHECK									
PMT BY CODE:									
07-05-2017	RECP	3852814	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO									
TO:									
SERVICE: 1079									
E-FILE-SYS 2.00 INSTR COUNT 1									
COMMENTS:									
PMT METHOD: EF CHECK									
PMT BY CODE:									

DATE: 11/07/18
RUN TIME: 16:15:28.4

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CHOCHP1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
08-24-2017	RECP	3896299	0	96.00	35450	0			131
FROM: BOB GARZA									
TO:									
SERVICE: 1034									
CHECK/MO NUMBER: 001801 DATE: 08-24-2017									
MISC. FEES 96.00 INSTR COUNT 1									
COMMENTS: BT									
PMT METHOD: CK CHECK									
PMT BY CODE:									
08-24-2017	RECP	3896339	0	3.00	35450	0			131
FROM: NICKEY JOHNSON									
TO:									
SERVICE: 1034									
CERTIFY 3.00 INSTR COUNT 1									
COMMENTS: BT									
PMT METHOD: VS CHECK									
PMT BY CODE:									
09-06-2017	RECP	3907046	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO									
TO:									
SERVICE: 1079									
E-FILE-SYS 2.00 INSTR COUNT 1									
COMMENTS:									
PMT METHOD: EF CHECK									
PMT BY CODE:									
09-22-2017	RECP	3921146	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO									
TO:									
SERVICE: 1079									
E-FILE-SYS 2.00 INSTR COUNT 1									
COMMENTS:									
PMT METHOD: EF CHECK									
PMT BY CODE:									
09-25-2017	RECP	3923611	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO									
TO:									
SERVICE: 1079									
E-FILE-SYS 2.00 INSTR COUNT 1									
COMMENTS:									
PMT METHOD: EF CHECK									
PMT BY CODE:									

DATE: 11/07/18
RUN TIME: 16:15:28.4

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CHOCHP1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COUNT
10-02-2017	RECP	3929698	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
10-13-2017	RECP	3939930	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
11-21-2017	RECP	3970467	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
11-21-2017	RECP	3970471	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
11-21-2017	RECP	3970480	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									

DATE: 11/07/18
RUN TIME: 16:15:28.4

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CHOCBP1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
01-10-2018	RECP	4006364	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR	COUNT	1		
COMMENTS:									
01-22-2018	RECP	4014391	0	63.00	35450	0			131
FROM: WES JOHNSON								PMT METHOD: CS CHECK	
TO:								PMT BY CODE:	
SERVICE: 1034									
COPIES				63.00	INSTR	COUNT	1		
COMMENTS: BT									
04-26-2018	RECP	4098415	0	2.00	35450	0			131
FROM: GREGORY								PMT METHOD: CS CHECK	
TO:								PMT BY CODE:	
SERVICE: 1034									
COPIES				2.00	INSTR	COUNT	1		
COMMENTS: ML									
08-03-2018	RECP	4188200	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR	COUNT	1		
COMMENTS:									
08-23-2018	RECP	4206849	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR	COUNT	1		
COMMENTS:									

DATE: 11/07/18
RUN TIME: 16:15:28.4

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010C102500

PAGE: 0
PGM: CHOCHP1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
09-05-2018	RECF	4218126	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
09-14-2018	RECF	4228465	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
09-25-2018	RECF	4236870	0	2.00	99999	0			131
FROM: ROBERT G. GARZA				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
10-05-2018	RECF	4248169	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
10-05-2018	RECF	4248205	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									

DATE: 11/07/18
RUN TIME: 16:15:28.4

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CHOCHP1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
10-05-2018	RECP	4248225	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
10-05-2018	RECP	4248270	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
10-10-2018	RECP	4251157	0	2.00	99999	0			131
FROM: KOOLE COURT REPORTER				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
10-11-2018	RECP	4253112	0	2.00	99999	0			131
FROM: ROBERT G. GARZA				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
10-12-2018	RECP	4253465	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO				PMT METHOD: EF CHECK					
TO:				PMT BY CODE:					
SERVICE: 1079									
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									

DATE: 11/07/18
RUN TIME: 16:15:28.4

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CROCHP1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
10-12-2018	RECF	4253951	0	2.00	99999	0			131
FROM: LAW OFFICE OF JON PO								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR COUNT 1				
COMMENTS:									
10-12-2018	RECF	4254337	0	2.00	99999	0			131
FROM: ROBERT G. GARZA								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR COUNT 1				
COMMENTS:									
10-16-2018	RECF	4256003	0	6.00	35450	0			131
FROM: GREGORY T VAN CLEAVE								PMT METHOD: CS CHECK	
TO:								PMT BY CODE:	
SERVICE: 1034									
COPIES				6.00	INSTR COUNT 1				
COMMENTS: IKT									
10-16-2018	RECF	4256054	0	2.00	99999	0			131
FROM: ROBERT G. GARZA								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR COUNT 1				
COMMENTS:									
10-16-2018	RECF	4256122	0	2.00	99999	0			131
FROM: THE LAW OFFICES OF A								PMT METHOD: EF CHECK	
TO:								PMT BY CODE:	
SERVICE: 1079									
E-FILE-SYS				2.00	INSTR COUNT 1				
COMMENTS:									

DATE: 11/07/18
RUN TIME: 16:15:28.4

DISTRICT CLERK INFORMATION SYSTEM
BILLING/RECEIPT HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PG#4: CHOCF1

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TR

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
10-19-2018	RECP	4259407	0	2.00	99999	0			37
FROM: HOBLIT DARLING RALLS									
TO:				PMT METHOD: EF CHECK					
SERVICE: 1079				PMT BY CODE:					
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
10-25-2018	RECP	4264806	0	35.00	32052	0			37
FROM: ROBERT G GARZA									
TO:				PMT METHOD: CK CHECK					
SERVICE: 1034				PMT BY CODE:					
CHECK/MO NUMBER: 001055 DATE: 10-25-2018									
COPIES		35.00	INSTR COUNT 1						
COMMENTS:									
10-26-2018	RECP	4265412	0	2.00	99999	0			37
FROM: THE LAW OFFICES OF A									
TO:				PMT METHOD: EF CHECK					
SERVICE: 1079				PMT BY CODE:					
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									
10-26-2018	RECP	4265411	0	80.00	99999	0			37
FROM: THE LAW OFFICES OF A									
TO:				PMT METHOD: EF CHECK					
SERVICE: 1069				PMT BY CODE:					
CLERK		80.00	INSTR COUNT 10						
COMMENTS:									
11-05-2018	RECP	4272487	0	2.00	99999	0			37
FROM: THE LAW OFFICES OF A									
TO:				PMT METHOD: EF CHECK					
SERVICE: 1079				PMT BY CODE:					
E-FILE-SYS		2.00	INSTR COUNT 1						
COMMENTS:									

DATE: 11/07/18
RUN TIME: 16:15:28.5

DISTRICT CLERK INFORMATION SYSTEM
DEPOSITION HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CHOCF2

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TRUCK SALVAGE ET AL

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ DATE	COURT
08-13-2010	DEP	0	0	1030.00	34526	0		131

COURT: 131 FEE CODE: 35 DEPOSITION
TYPE: VERB VERBAL DEPOSITION TAKEN
SERVICE DESCRIPTION: DEPOSITION
WITNESS NAME: JUAN RAMIREZ (1030.00)
ATTORNEY TAKING DEPOSITION: JON POWELL
RECORDING CLERK/COMPANY : KOOLE COURT REPORTERS OF TEXAS
STREET ADDRESS:
CITY/ST/ZIP: 0 0
PHONE:

COMMENTS:

12-09-2010	DEP	0	0	744.70	13179	0		131
------------	-----	---	---	--------	-------	---	--	-----

COURT: 131 FEE CODE: 35 DEPOSITION
TYPE: VERB VERBAL DEPOSITION TAKEN
SERVICE DESCRIPTION: DEPOSITION
WITNESS NAME: CARLOS GONZALEZ (744.70)
ATTORNEY TAKING DEPOSITION: JON POWELL
RECORDING CLERK/COMPANY : KOOLE COURT REPORTERS OF TEXAS
STREET ADDRESS: 711 NAVARRO
CITY/ST/ZIP: SAN ANTONIO TX 78205 0
PHONE: 210 558 - 9484

COMMENTS:

05-31-2011	DEP	0	0	533.50	34815	0		131
------------	-----	---	---	--------	-------	---	--	-----

COURT: 131 FEE CODE: 35 DEPOSITION
TYPE: VERB VERBAL DEPOSITION TAKEN
SERVICE DESCRIPTION: DEPOSITION
WITNESS NAME: RAUL TAMEZ (533.50)
ATTORNEY TAKING DEPOSITION: MR. JON POWELL
RECORDING CLERK/COMPANY : KOOLE COURT REPORTERS OF TEXAS
STREET ADDRESS: 711 NAVARRO STREET, STE. 101
CITY/ST/ZIP: SAN ANTONIO TX 78205 0
PHONE: 210 558 - 9484

COMMENTS:

DATE: 11/07/18
RUN TIME: 16:15:28.5

DISTRICT CLERK INFORMATION SYSTEM
DEPOSITION HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CHOCHP2

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TRUCK SALVAGE ET AL

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
05-31-2011	DEP	0	0	1159.40	34815	0			131
COURT: 131 FEE CODE: 35 DEPOSITION									
TYPE: VERB VERBAL DEPOSITION TAKEN									
SERVICE DESCRIPTION: DEPOSITION									
WITNESS NAME: PEDRO DANIEL "PETE" RAMIREZ (1159.40)									
ATTORNEY TAKING DEPOSITION: JON POWELL & KATARZYNA DANIEC									
RECORDING CLERK/COMPANY : KOOLE COURT REPORTERS OF TEXAS									
STREET ADDRESS: 711 NAVARRO STREET, STE. 101									
CITY/ST/ZIP: SAN ANTONIO TX 78205 0									
PHONE: 210 558 - 9484									

COMMENTS:

05-31-2011	DEP	0	0	1030.00	34815	0			131
COURT: 131 FEE CODE: 35 DEPOSITION									
TYPE: VERB VERBAL DEPOSITION TAKEN									
SERVICE DESCRIPTION: DEPOSITION									
WITNESS NAME: RAUL TAMEZ (533.50)									
ATTORNEY TAKING DEPOSITION: JON POWELL									
RECORDING CLERK/COMPANY : KOOLE COURT REPORTERS OF TEXAS									
STREET ADDRESS: 711 NAVARRO STREET, STE. 101									
CITY/ST/ZIP: SAN ANTONIO TX 78205 0									
PHONE: 210 558 - 9484									

COMMENTS:

07-08-2011	DEP	0	0	518.83	35020	0			131
COURT: 131 FEE CODE: 35 DEPOSITION									
TYPE: VERB VERBAL DEPOSITION TAKEN									
SERVICE DESCRIPTION: DEPOSITION									
WITNESS NAME: ANNETTE RODRIGUEZ (518.83)									
ATTORNEY TAKING DEPOSITION: MS. KATARZYNA "KASIA" DANIEC									
RECORDING CLERK/COMPANY : KOOLE COURT REPORTERS OF TEXAS									
STREET ADDRESS: 711 NAVARRO ST., STE. 101									
CITY/ST/ZIP: SAN ANTONIO TX 78205 0									
PHONE: 210 558 - 9484									

COMMENTS:

DATE: 11/07/18
RUN TIME: 16:15:28.5

DISTRICT CLERK INFORMATION SYSTEM
DEPOSITION HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CHOHP2

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TRUCK SALVAGE ET AL

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
07-08-2011	DEP	0	0	667.50	35020	0			131
COURT: 131 FEE CODE: 35 DEPOSITION									
TYPE: VERB VERBAL DEPOSITION TAKEN									
SERVICE DESCRIPTION: DEPOSITION									
WITNESS NAME: MARTIN BRYAN MILLER (667.50)									
ATTORNEY TAKING DEPOSITION: JON POWELL									
RECORDING CLERK/COMPANY : KOOLE COURT REPORTERS OF TEXAS									
STREET ADDRESS: 711 NAVARRO ST., STE. 101									
CITY/ST/ZIP: SAN ANTONIO TX 78205 0									
PHONE: 210 558 - 9484									

COMMENTS:

07-08-2011	DEP	0	0	1053.40	35020	0			131
COURT: 131 FEE CODE: 35 DEPOSITION									
TYPE: VERB VERBAL DEPOSITION TAKEN									
SERVICE DESCRIPTION: DEPOSITION									
WITNESS NAME: ELISA VALDEZ (1053.40)									
ATTORNEY TAKING DEPOSITION: JON POWELL									
RECORDING CLERK/COMPANY : KOOLE COURT REPORTERS OF TEXAS									
STREET ADDRESS: 711 NAVARRO ST., STE. 101									
CITY/ST/ZIP: SAN ANTONIO TX 78205 0									
PHONE: 210 558 - 9484									

COMMENTS:

08-22-2011	DEP	0	0	1157.30	35381	0			131
COURT: 131 FEE CODE: 35 DEPOSITION									
TYPE: VERB VERBAL DEPOSITION TAKEN									
SERVICE DESCRIPTION: DEPOSITION									
WITNESS NAME: DANIEL DELAGARZA RAMIREZ (1157.30)									
ATTORNEY TAKING DEPOSITION: JON POWELL									
RECORDING CLERK/COMPANY : KOOLE COURT REPORTERS OF TEXAS									
STREET ADDRESS:									
CITY/ST/ZIP: 0 0									
PHONE:									

COMMENTS:

DATE: 11/07/18
RUN TIME: 16:15:28.6

DISTRICT CLERK INFORMATION SYSTEM
DEPOSITION HISTORY REPORT
FOR CASE: 2010CI02500

PAGE: 0
PGM: CROCHP2

STYLE: TEXAS AUTO SALVAGE INC ET AL VS SAN ANTONIO AUTO & TRUCK SALVAGE ET AL

DATE	TYPE	DOCUMENT	REFERENCE	AMOUNT	EMPL	ADJUST	ADJ	DATE	COURT
11-30-2011	DEF	0	0	1842.40	35266	0			131

COURT: 131 FEE CODE: 35 DEPOSITION
TYPE: VERB VERBAL DEPOSITION TAKEN
SERVICE DESCRIPTION: DEPOSITION
WITNESS NAME: RHONDA AVENDANO REZA(1842.40)
ATTORNEY TAKING DEPOSITION: MR. JON POWELL
RECORDING CLERK/COMPANY : KOOLE COURT REPORTERS OF TEXAS
STREET ADDRESS: 711 NAVARRO STREET, SUITE 101
CITY/ST/ZIP: SAN ANTONIO TX 78205 0
PHONE: 210 558 - 9484

COMMENTS:

CAUSE NO. 2010-CI-02500

TEXAS AUTO SALVAGE, INC.,	§	IN THE DISTRICT COURT
GARY HACK AND DANIEL HACK,	§	
	§	
PLAINTIFFS,	§	
	§	
V.	§	131 ST JUDICIAL DISTRICT
	§	
DANIEL DELAGARZA RAMIREZ,	§	
SAN ANTONIO AUTO & TRUCK	§	
SALVAGE, DANNY'S RECYCLING &	§	
PRECIOUS METALS, LLC, AND	§	
DANNY'S RECYCLING, INC.,	§	
	§	
DEFENDANTS	§	BEXAR COUNTY, TEXAS.

**PLAINTIFFS' SECOND AMENDED NOTICE OF FILING THE AFFIDAVIT OF
DEBBIE KOOLE ON BEHALF OF KOOLE COURT REPORTERS OF TEXAS
CONCERNING THE COSTS OF VIDEOTAPED DEPOSITIONS PAID BY
PLAINTIFFS TEXAS AUTO SALVAGE, INC., GARY HACK, AND DANIEL HACK**

COMES NOW, PLAINTIFFS TEXAS AUTO SALVAGE, INC., GARY HACK AND DANIEL HACK ("PLAINTIFFS"), through counsel, and files this Second Amended Notice of Filing the Affidavit of Debbie Koole on behalf of Koole Court Reporters Concerning the Costs of Videotaped Depositions Paid by Plaintiffs Texas Auto Salvage, Inc., Gary Hack, and Daniel Hack.

WHEREFORE, PREMISES CONSIDERED, PLAINTIFFS request that the Court take the Second Amended Notice of Filing the Affidavit of Debbie Koole on behalf of Koole Court Reporters Concerning the Costs of Videotaped Depositions Paid by Plaintiffs Texas Auto Salvage, Inc., Gary Hack, and Daniel Hack.

Respectfully submitted,

THE POWELL LAW FIRM

By: John "Mickey" Johnson

John "Mickey" Johnson

Texas State Bar No. 24094002

Jon Powell

Texas State Bar No. 00797260

1148 East Commerce

San Antonio, Texas 78205

Office: (210) 225-9300

Fax: (210) 225-9301

Mobile: (210) 336-0330

E-mail: mickey@jpowell-law.com

E-mail: jon@jpowell-law.com

COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served electronically to all counsel of record on this the 14th day of January, 2019, to the following counsel of record in accordance with the Texas Rules of Civil Procedure.

Robert G. Garza
THE LAW OFFICE OF ROBERT G. GARZA
Texas State Bar No. 07737700
7800 Interstate Highway 10 West, Suite 111
San Antonio, Texas 78230
Telephone: (210) 344-5665
Facsimile: (210) 344-4064
Email: robertggarza@cs.com

Gregory T. Van Cleave
THE LAW OFFICE OF ALBERT W. VAN CLEAVE, III PLLC
Texas State Bar No. 24037881
1520 W. Hildebrand
San Antonio, Texas 78201
Telephone: (210) 341-6588
Fax: (210) 341-6589
Email: greg_v@hotmail.com

*Counsel for Defendants DDRI, DRRI, San Antonio Auto & Truck Salvage,
Danny's Recycling, Danny's Precious Metals and Daniel Delagarza Ramirez*

John "Mickey" Johnson
John "Mickey" Johnson

CAUSE NO. 2010-CI-02500

**TEXAS AUTO SALVAGE, INC.,
GARY HACK AND DANIEL HACK**

PLAINTIFFS.

V.

**DANIEL DELAGARZA RAMIREZ,
SAN ANTONIO AUTO & TRUCK
SALVAGE, DANNY'S RECYCLING &
PRECIOUS METALS, LLC, AND
DANNY'S RECYCLING, INC.,**

DEFENDANTS

IN THE DISTRICT COURT

131ST JUDICIAL DISTRICT

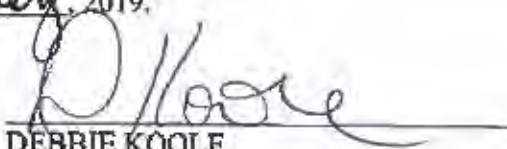
BEXAR COUNTY, TEXAS.

**AFFIDAVIT OF DEBBIE KOOLE ON BEHALF OF KOOLE COURT REPORTERS
CONCERNING THE COSTS OF VIDEO DEPOSITIONS PAID BY PLAINTIFFS
TEXAS AUTO SALVAGE, INC., GARY HACK, AND DANIEL HACK**

Before me, the undersigned authority, on this day personally appeared Debbie Koole, owner of Koole Court Reporting ("Affiant") who, being first duly sworn, upon oath states:

1. My name is Debbie Koole, owner of Koole Court Reporters of Texas, 8000 I-10 West, Ste 600, San Antonio, TX 78230, (210) 558-9484, (210) 558-3129 Fax. I am personally familiar with the costs, invoices and payments of the video depositions paid by the Plaintiffs Texas Auto Salvage, Inc., Gary Hack and Daniel Hack ("Plaintiffs"), and I have personal knowledge of the facts stated in this affidavit.
2. Plaintiffs have hired Koole Court Reporters of Texas to take the oral depositions of all of the witnesses, with the exception of one, from 2010-2018.
3. The videography fees were paid in part to First Video of Texas and in part to Koole Court Reporters.
4. The total amount paid directly to First Video of Texas is \$4,279.25. (Exhibit A)
5. The total amount paid to Koole Court Reporters for videographer fees is \$4,915.40 on October 10, 2018, with Check Number 87445. (Exhibit B)
6. The total amount of fees paid for videotaped depositions to First Video of Texas and to Koole Court Reporters is \$9,194.65.

Signed this 14th day of January, 2019,


DEBBIE KOOLE
On behalf of KOOLE COURT REPORTERS

STATE OF TEXAS

COUNTY OF BEXAR

§
§
§

Sworn to and subscribed to before me on January 14, 2019 by DEBBIE KOOLE on behalf of KOOLE COURT REPORTERS.

(SEAL)




NOTARY PUBLIC, State of Texas

10:24 AM

Texas Auto Salvage Inc.

12/13/18

Find Report

Accrual Basis

All Transactions



Type	Date	Num	Name
Check	06/10/2014	42398	1st Video Of Texas
Check	04/22/2013	38708	1st Video Of Texas
Check	05/30/2012	36076	1st Video Of Texas
Check	04/20/2012	35730	1st Video Of Texas

Total

10:24 AM

Texas Auto Salvage Inc.

12/13/18

Find Report

Accrual Basis

All Transactions

Memo	Account	Clr	Split
29-3663	First National Bank		UNCLASSIFIED
29-3404 29-3...	First National Bank		UNCLASSIFIED
29-3196 29-3...	First National Bank		UNCLASSIFIED
29-3179	First National Bank		UNCLASSIFIED

10:24 AM

Texas Auto Salvage Inc.

12/13/18

Find Report

Accrual Basis

All Transactions

Amount	Balance
-691.75	-691.75
-1,870.00	-2,561.75
-1,305.00	-3,866.75
-412.50	-4,279.25
-4,279.25	-4,279.25

TASI

VIDEOGRAPHER PAYMENTS MADE TO KOOLE COURT REPORTERS



2/7/2014	Jesse Joe Alaniz	\$253.00
9/9/2015	Jesse Joe Alaniz	\$354.50
12/11/2015	Warner Wilhite	\$295.00
12/16/2015	Clyde Bailey	\$295.00
12/18/2015	Danny Ramirez	\$485.00
1/30/2017	Joseph Bernal	\$672.65
6/2/2017	Roderick Sanchez	\$522.50
6/15/2017	Joseph Bernal 2	\$295.00
12/19/2017	Michael Shannon	\$447.50
12/19/2017	Michael Uresti	\$423.75
9/27/2018	Stephen Forbes, Ph.D	\$871.50
		\$4,915.40
10/10/2018	Paid with Check Number 87445	

Texas Auto Salvage Inc.
Find Report
All Transactions

Basis

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>	<u>Balance</u>
10/10/2018	87445	Koola Court Reporters Of Texas		-22,726.85	-22,726.85
12/22/2015	46928	Koola Court Reporters Of Texas	209-11959 209-11960	-1,087.30	-23,814.15
02/25/2015	44753	Koola Court Reporters Of Texas	209-10976	-282.00	-24,096.15
02/16/2016	44695	Koola Court Reporters Of Texas	209-10933,10932,10534,10532,10099,29-3540	-4,209.69	-28,305.84
04/22/2013	38707	Koola Court Reporters Of Texas	209-9792,209-9770,209-9730,209-9708	-3,189.60	-31,495.44
12/05/2012	37810	Koola Court Reporters Of Texas	209-9267 209-9326 29-3231 29-3245	-1,915.50	-33,410.94
05/30/2012	36875	Koola Court Reporters Of Texas	209-8961 209-9180 209-9163	-2,484.90	-35,895.84
04/20/2012	35729	Koola Court Reporters Of Texas	209-9121	-1,126.50	-37,022.34
				<u>-37,022.34</u>	<u>-37,022.34</u>

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM

1148 East Commerce Street

San Antonio, TX 78205

(210) 225-9300

Invoice No. 209-11613

Invoice Date: 9/14/15

Attorney: Jan Powell

Reporter: Debbie Koole

Description

RE: *Texas Auto Salvage, et al. vs. San Antonio Auto & Truck Salvage*
In the 131st District Court of Bexar County, Texas; Cause No. 2010-CI-02500

AUDIO TRANSCRIPTION OF
2-7-14 RECORDED CONVERSATION BETWEEN
JESSE JOE ALANIZ AND ROBERT SANCHEZ

Invoice Total: 253.00

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM

1148 East Commerce Street

San Antonio, TX 78205

(210) 225-9300

Invoice No. 209-11612

Invoice Date: 9/15/15

Attorney: Jon Powell

Videographer: Pete Resendez

Description

RE: *Texas Auto Salvage, et al. vs. San Antonio Auto & Truck Salvage, et al.*
In the 131st District Court of Bexar County, Texas; Cause No. 2010-CI-02500

Witness: JESSE JOE ALANIZ

MPEG-1 VIDEO

Depo Date: 9-9-15
San Antonio, TX

Invoice Total: 354.50

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM

1148 East Commerce Street

San Antonio, TX 78205

(210) 225-9300

Invoice No. 209-11960

Invoice Date: 12/21/15

Attorney: Jon Powell

Videographer: Mario Koole

Description

RE: *Texas Auto Salvage, et al. vs. San Antonio Auto & Truck Salvage*
In the 131st District Court of Bexar County, Texas; Cause No. 2010-CI-02500

Witness: WARNER WILHITE

MPEG-1 VIDEO

Depo Date: 12-11-15
San Antonio, TX

Invoice Total: 295.00

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM

1148 East Commerce Street

San Antonio, TX 78205

(210) 225-9300

Invoice No. 209-11986

Invoice Date: 12/29/15

Attorney: Jon Powell

Videographer: Pete Resendez

Description

RE: *Texas Auto Salvage, et al. vs. San Antonio Auto & Truck Salvage*
In the 131st District Court of Bexar County, Texas; Cause No. 2010-CI-02500

Witness: CLYDE BAILEY

MPEG-1 VIDEO

Depo Date: 12-16-15
San Antonio, TX

Invoice Total: 295.00

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM
1148 East Commerce Street
San Antonio, TX 78205
(210) 225-9300

Invoice No: 209-11994

Invoice Date: 1/04/16

Attorney: Jon Powell

Videographer: Mario Koole

Description

RE: *Texas Auto Salvage, et al. vs. San Antonio Auto & Truck Salvage*
In the 131st District Court of Bexar County, Texas; Cause No. 2010-CI-02500

Witness: DANNY RAMIREZ

MPEG-1 VIDEO

Depo Date: 12-18-15
San Antonio, TX

Invoice Total: 485.00

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM

1148 East Commerce Street

San Antonio, TX 78205

(210) 225-9300

Invoice No. 209-13570

Invoice Date: 2/08/17

Attorney: Jon Powell

Videographer: Wade Nowlin

Description

RE: *TASI vs. Sanchez and City of San Antonio*
In the 166th District Court of Bexar County, Texas; Cause No. 2015-CI-04863

Witness: JOSEPH BERNAL

MPEG-1 VIDEO

Depo Date: 1-30-17
San Antonio, TX

Invoice Total: 672.65

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM

1148 East Commerce Street

San Antonio, TX 78205

(210) 225-9300

Invoice No. 209-14086

Invoice Date: 6/20/17

Attorneys: Jan Powell

Videographer: Aaron Pye

Description

RE: *Texas Auto Salvage, et al. vs. Sanchez and City of San Antonio*
In the 166th District Court of Bexar County, Texas; Cause No. 2015-CI-04863

Witness: RODERICK SANCHEZ

MPEG-1 VIDEO

Depo Date: 6-2-17
San Antonio, TX

Invoice Total: 522.50

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM

1148 East Commerce Street

San Antonio, TX 78205

(210) 225-9300

Invoice No. 209-14122

Invoice Date: 6/27/17

Attorney: Ian Powell

Videographer: Pete Resendez

Description

RE: *Texas Auto Salvage, et al vs. Sanchez and City of San Antonio*
In the 166th District Court of Bexar County, Texas; Cause No. 2015-CI-04863

Witness: JOSEPH BERNAL - VOLUME 2

MPEG-1 VIDEO

Depo Date: 6-15-17
San Antonio, TX

Invoice Total: 295.00

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM
1148 East Commerce Street
San Antonio, TX 78205
(210) 225-9300

Invoice No. 209-15006

Invoice Date: 1/05/18

Attorney: Jon Powell

Videographer: Eli Davis

Description

RE: *Texas Auto Salvage, et al. vs. Sanchez and City of San Antonio*
In the 166th District Court of Bexar County, Texas; Cause No. 2015-CI-04863

Witness 1: MICHAEL PATRICK SHANNON 447.50 MPEG-1 VIDEO

Witness 2: MICHAEL CARLOS URESTI 423.75 MPEG-1 VIDEO

Depo Date: 12-19-17
San Antonio, TX

Invoice Total: 871.25

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM

1148 East Commerce Street

San Antonio, TX 78205

(210) 225-9300

Invoice No. 209-16941

Invoice Date: 10/10/18

Attorney: Jon Powell

Videographer: Gary Gutierrez

Description

RE: *Texas Auto Salvage, et al. vs. DD Ramirez, Inc., et al.*
In the 131st District Court of Bexar County, Texas; Cause No. 2010-CF-02500

Witness: STEPHEN FORBES, Ph.D.

MPEG-1 VIDEO

Depo Date: 9-27-18
San Antonio, TX

Invoice Total: 871.50

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

CAUSE NO. 2010-CI-02500

TEXAS AUTO SALVAGE, INC.,	§	IN THE DISTRICT COURT
GARY HACK AND DANIEL HACK,	§	
	§	
PLAINTIFFS,	§	
	§	
V.	§	131 ST JUDICIAL DISTRICT
	§	
DANIEL DELAGARZA RAMIREZ,	§	
SAN ANTONIO AUTO & TRUCK	§	
SALVAGE, DANNY'S RECYCLING &	§	
PRECIOUS METALS, LLC, AND	§	
DANNY'S RECYCLING, INC.,	§	
	§	
DEFENDANTS	§	BEXAR COUNTY, TEXAS.

**PLAINTIFFS' SECOND AMENDED NOTICE OF FILING THE AFFIDAVIT OF PETE RESENDEZ ON BEHALF OF FIRST VIDEO OF TEXAS CONCERNING THE COSTS OF VIDEOTAPED DEPOSITIONS PAID BY PLAINTIFFS
TEXAS AUTO SALVAGE, INC., GARY HACK, AND DANIEL HACK**

COMES NOW, PLAINTIFFS TEXAS AUTO SALVAGE, INC., GARY HACK AND DANIEL HACK ("PLAINTIFFS"), through counsel, and files this Second Amended Notice of Filing the Affidavit of Pete Resendez on Behalf of First Video of Texas Concerning the Costs of Videotaped Depositions Paid by Plaintiffs Texas Auto Salvage, Inc., Gary Hack, and Daniel Hack.

WHEREFORE, PREMISES CONSIDERED, PLAINTIFFS request that the Court take the Second Amended Notice of Filing the Affidavit of Pete Resendez on Behalf of First Video of Texas Concerning the Costs of Videotaped Depositions Paid by Plaintiffs Texas Auto Salvage, Inc., Gary Hack, and Daniel Hack.

Respectfully submitted,

THE POWELL LAW FIRM

By: John "Mickey" Johnson

John "Mickey" Johnson

Texas State Bar No. 24094002

Jon Powell

Texas State Bar No. 00797260

1148 East Commerce

San Antonio, Texas 78205

Office: (210) 225-9300

Fax: (210) 225-9301

Mobile: (210) 336-0330

E-mail: mickey@jpowell-law.com

E-mail: jon@jpowell-law.com

COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served electronically to all counsel of record on this the 14th day of January, 2019, to the following counsel of record in accordance with the Texas Rules of Civil Procedure.

Robert G. Garza
THE LAW OFFICE OF ROBERT G. GARZA
Texas State Bar No. 07737700
7800 Interstate Highway 10 West, Suite 111
San Antonio, Texas 78230
Telephone: (210) 344-5665
Facsimile: (210) 344-4064
Email: robertggarza@cs.com

Gregory T. Van Cleave
THE LAW OFFICE OF ALBERT W. VAN CLEAVE, III PLLC
Texas State Bar No. 24037881
1520 W. Hildebrand
San Antonio, Texas 78201
Telephone: (210) 341-6588
Fax: (210) 341-6589
Email: greg_v@hotmail.com

***Counsel for Defendants DDRI, DRRI, San Antonio Auto & Truck Salvage,
Danny's Recycling, Danny's Precious Metals and Daniel Delagarza Ramirez***

John "Mickey" Johnson
John "Mickey" Johnson

CAUSE NO. 2010-CI-02500

**TEXAS AUTO SALVAGE, INC.,
GARY HACK AND DANIEL HACK.**

PLAINTIFFS,

V.

**DANIEL DELAGARZA RAMIREZ,
SAN ANTONIO AUTO & TRUCK
SALVAGE, DANNY'S RECYCLING &
PRECIOUS METALS, LLC, AND
DANNY'S RECYCLING, INC.,**

DEFENDANTS

IN THE DISTRICT COURT

131ST JUDICAL DISTRICT

BEXAR COUNTY, TEXAS.

**AFFIDAVIT OF PETE RESENDEZ ON BEHALF OF FIRST VIDEO OF TEXAS
CONCERNING THE COSTS OF VIDEOTAPED DEPOSITIONS PAID BY
PLAINTIFFS TEXAS AUTO SALVAGE, INC., GARY HACK, AND DANIEL HACK**

Before me, the undersigned authority, on this day personally appeared Debbie Koole, owner of Koole Court Reporting ("Affiant") who, being first duly sworn, upon oath states:

1. My name is Pete Resendez, of First Video of Texas, 31300 Keeneland Drive, Fair Oaks Ranch, Texas 78015, (210) 558-9484, (210) 558-3129 Fax. I am personally familiar with the costs, invoices and payments of the videotaped depositions paid by the Plaintiffs Texas Auto Salvage, Inc., Gary Hack and Daniel Hack ("Plaintiffs"), and I have personal knowledge of the facts stated in this affidavit.
2. Plaintiffs have hired First Video of Texas to take the videotaped depositions of almost all of the witnesses from all of the witnesses, with the exception of one, from 2012-2018.
3. The videography fees were paid in part to First Video of Texas and in part to Koole Court Reporters.
4. The total amount paid directly to First Video of Texas is \$4,279.25. (Exhibit A)
5. The total amount paid to Koole Court Reporters for videographer fees is \$4,915.40 on October 10, 2018, with Check Number 87445. (Exhibit B)
6. The total amount of fees paid for videotaped depositions to First Video of Texas and to Koole Court Reporters is \$9,194.65.

Signed this 14th day of January, 2019.

Pete Resendez
PETE RESENDEZ
On behalf of FIRST VIDEO OF TEXAS

STATE OF TEXAS

COUNTY OF BEXAR

§
§
§

Sworn to and subscribed to before me on January 14, 2019, by PETE RESENDEZ on behalf of FIRST VIDEO OF TEXAS.

(SEAL)



Joann Patterson Sanchez
NOTARY PUBLIC, State of Texas

10:24 AM

Texas Auto Salvage Inc.

12/13/18

Find Report

Accrual Basis

All Transactions

Type	Date	Num	Name
Check	06/10/2014	42398	1st Video Of Texas
Check	04/22/2013	38708	1st Video Of Texas
Check	05/30/2012	36076	1st Video Of Texas
Check	04/20/2012	35730	1st Video Of Texas

Total



10:24 AM

Texas Auto Salvage Inc.

12/13/18

Find Report

Accrual Basis

All Transactions

Memo	Account	Clr	Split
29-3663	First National Bank		UNCLASSIFIED
29-3404, 29-3 ..	First National Bank		UNCLASSIFIED
29-3196 29-3 ..	First National Bank		UNCLASSIFIED
29-3179	First National Bank		UNCLASSIFIED

10:24 AM

Texas Auto Salvage Inc.

12/13/18

Find Report

Accrual Basis

All Transactions

Amount	Balance
-591.75	-591.75
-1,870.00	-2,561.75
-1,305.00	-3,866.75
-412.50	-4,279.25
-4,279.25	-4,279.25

TASI

VIDEOGRAPHER PAYMENTS MADE TO KOOLE COURT REPORTERS



2/7/2014	Jesse Joe Alaniz	\$253.00
9/9/2015	Jesse Joe Alaniz	\$354.50
12/11/2015	Warner Wilhite	\$295.00
12/16/2015	Clyde Bailey	\$295.00
12/18/2015	Danny Ramirez	\$485.00
1/30/2017	Joseph Bernal	\$672.65
6/2/2017	Roderick Sanchez	\$522.50
6/15/2017	Joseph Bernal 2	\$295.00
12/19/2017	Michael Shannon	\$447.50
12/19/2017	Michael Uresti	\$423.75
9/27/2018	Stephen Forbes, Ph.D	\$871.50
		\$4,915.40
10/10/2018	Paid with Check Number 87445	

Texas Auto Salvage Inc.

Find Report

All Transactions

Page

Date	Num	Name	Menu	Amount	Balance
10/10/2016	87445	Koola Court Reporters Of Texas		-22,726.85	-22,726.85
12/22/2015	46928	Koola Court Reporters Of Texas	209-11959 209-11960	-1,087.30	-23,814.15
02/25/2015	44753	Koola Court Reporters Of Texas	209-10976	-282.00	-24,096.15
02/19/2015	44695	Koola Court Reporters Of Texas	209-10933,10932,10534,10532,10099,29-3540	-4,209.69	-28,305.84
04/22/2013	38707	Koola Court Reporters Of Texas	209-9792,209-9770,209-9730,209-9708	-3,189.60	-31,495.44
12/05/2012	37610	Koola Court Reporters Of Texas	209-9267 209-9326 28-3231 29-3245	-1,915.50	-33,410.94
05/30/2012	36075	Koola Court Reporters Of Texas	209-9361 209-9180 209-9163	-2,484.90	-35,895.84
04/20/2012	35729	Koola Court Reporters Of Texas	209-9121	-1,126.50	-37,022.34
				<u>-37,022.34</u>	<u>-37,022.34</u>

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM

1148 East Commerce Street

San Antonio, TX 78205

(210) 225-9300

Invoice No. 209-11613

Invoice Date: 9/14/15

Attorney: Jon Powell

Reporter: Debbie Koole

Description

RE: *Texas Auto Salvage, et al. vs. San Antonio Auto & Truck Salvage*
In the 131st District Court of Bexar County, Texas; Cause No. 2010-CI-02500

AUDIO TRANSCRIPTION OF
2-7-14 RECORDED CONVERSATION BETWEEN
JESSE JOE ALANIZ AND ROBERT SANCHEZ

Invoice Total: 253.00

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM

1148 East Commerce Street

San Antonio, TX 78205

(210) 225-9300

Invoice No. 209-11612

Invoice Date: 9/15/15

Attorney: Jon Powell

Videographer: Pete Resendez

Description

RE: *Texas Auto Salvage, et al. vs. San Antonio Auto & Truck Salvage, et al.*
In the 131st District Court of Bexar County, Texas; Cause No. 2010-CI-02500

Witness: JESSE JOE ALANIZ

MPEG-1 VIDEO

Depo Date: 9-9-15
San Antonio, TX

Invoice Total: 354.50

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM
1148 East Commerce Street
San Antonio, TX 78205
(210) 225-9300

Invoice No. 209-11960

Invoice Date: 12/21/15

Attorney: Jan Powell

Videographer: Mario Koole

Description

RE: *Texas Auto Salvage, et al. vs. San Antonio Auto & Truck Salvage*
In the 131st District Court of Bexar County, Texas; Cause No. 2010-CI-02500

Witness: WARNER WILHITE

MPEG-1 VIDEO

Depo Date: 12-11-15
San Antonio, TX

Invoice Total: 295.00

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM
1148 East Commerce Street
San Antonio, TX 78205
(210) 225-9300

Invoice No. 209-11986

Invoice Date: 12/29/15

Attorney: Jon Powell

Videographer: Pete Resendez

Description

RE: *Texas Auto Salvage, et al. vs. San Antonio Auto & Truck Salvage*
In the 131st District Court of Bexar County, Texas; Cause No. 2010-CI-02500

Witness: CLYDE BAILEY

MPEG-1 VIDEO

Depo Date: 12-16-15
San Antonio, TX

Invoice Total: 295.00

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM

1148 East Commerce Street

San Antonio, TX 78205

(210) 225-9300

Invoice No. 209-11994

Invoice Date: 1/04/16

Attorney: Jon Powell

Videographer: Mario Koole

Description

RE: *Texas Auto Salvage, et al. vs. San Antonio Auto & Truck Salvage*
In the 131st District Court of Bexar County, Texas; Cause No. 2010-CI-02500

Witness: DANNY RAMIREZ

MPEG-1 VIDEO

Depo Date: 12-18-15
San Antonio, TX

Invoice Total: 485.00

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM

1148 East Commerce Street

San Antonio, TX 78205

(210) 225-9300

Invoice No. 209-13570

Invoice Date: 2/08/17

Attorney: Jon Powell

Videographer: Wade Nowlin

Description

RE: *TASI vs. Sanchez and City of San Antonio*
In the 166th District Court of Bexar County, Texas; Cause No. 2015-CI-04863

Witness: JOSEPH BERNAL

MPEG-1 VIDEO

Depo Date: 1-30-17
San Antonio, TX

Invoice Total: 672.65

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM

1148 East Commerce Street

San Antonio, TX 78205

(210) 225-9300

Invoice No. 209-14086

Invoice Date: 6/20/17

Attorneys: Jon Powell

Videographer: Aaron Pye

Description

RE: *Texas Auto Salvage, et al. vs. Sanchez and City of San Antonio*
In the 166th District Court of Bexar County, Texas; Cause No. 2015-CI-04863

Witness: RODERICK SANCHEZ

MPEG-1 VIDEO

Depo Date: 6-2-17
San Antonio, TX

Invoice Total: 522.50

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM

1148 East Commerce Street

San Antonio, TX 78205

(210) 225-9300

Invoice No. 209-14122

Invoice Date: 6/27/17

Attorney: Jon Powell

Videographer: Pete Resendez

Description

RE: *Texas Auto Salvage, et al. vs. Sanchez and City of San Antonio*
In the 166th District Court of Bexar County, Texas: Cause No. 2015-CI-04863

Witness: JOSEPH BERNAL – VOLUME 2

MPEG-1 VIDEO

Depo Date: 6-15-17
San Antonio, TX

Invoice Total: 295.00

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM

1148 East Commerce Street

San Antonio, TX 78205

(210) 225-9300

Invoice No. 209-15006

Invoice Date: 1/05/18

Attorney: Jon Powell

Videographer: Eli Davis

Description

RE: *Texas Auto Salvage, et al. vs. Sanchez and City of San Antonio*
In the 166th District Court of Bexar County, Texas; Cause No. 2015-CI-04863

Witness 1: MICHAEL PATRICK SHANNON 447.50

MPEG-1 VIDEO

Witness 2: MICHAEL CARLOS URESTI 423.75

MPEG-1 VIDEO

Depo Date: 12-19-17
San Antonio, TX

Invoice Total: 871.25

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

KOOLE COURT REPORTERS OF TEXAS

Accounting Office

31300 Keeneland Drive

Fair Oaks Ranch, TX 78015

(210) 558-9484 FAX (210) 558-3129

INVOICE

THE POWELL LAW FIRM

1148 East Commerce Street

San Antonio, TX 78205

(210) 225-9300

Invoice No. 209-16941

Invoice Date: 10/10/18

Attorney: Jon Powell

Videographer: Gary Gutierrez

Description

RE: *Texas Auto Salvage, et al. vs. DD Ramirez, Inc., et al.*
In the 131st District Court of Bexar County, Texas; Cause No. 2010-CI-02500

Witness: STEPHEN FORBES, Ph.D.

MPEG-1 VIDEO

Depo Date: 9-27-18
San Antonio, TX

Invoice Total: 871.50

Thank you for using Koole Court Reporters.

DUE UPON RECEIPT

Federal ID #27-2375504

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Denise Newlin on behalf of Renée Yanta
Bar No. 787483
info@Reneeyantalaw.com
Envelope ID: 49043901
Status as of 12/17/2020 11:53 AM CST

Associated Case Party: San Antonio Auto & Truck Salvage

Name	BarNumber	Email	TimestampSubmitted	Status
Jon Todd Powell	797260	jon@jpowell-law.com	12/17/2020 11:32:44 AM	SENT
John Johnson	24094002	mickey@jpowell-law.com	12/17/2020 11:32:44 AM	SENT
Renee Yanta	787483	info@reneeeyantalaw.com	12/17/2020 11:32:44 AM	SENT
Renée Yanta		formerjudge@Reneeyantalaw.com	12/17/2020 11:32:44 AM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Robert G. Garza	7737700	robertggarza@cs.com	12/17/2020 11:32:44 AM	SENT
Gregory Van Cleave	24037881	Greg_v@vancleavelegal.com	12/17/2020 11:32:44 AM	SENT
Samuel Vance Houston	24041135	sam@hdappeals.com	12/17/2020 11:32:44 AM	SENT